WOMAN'S RIGHTS IN ISLAM

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The Status of Woman in Islam .۱

The status of woman in Islam is the same eminent position of human beings; as in human beings there is no difference between man and woman. The holy Qur’an introduces the human being as the substitute of Allah on earth, and states that they :are great. It says about them

We have dignified the Children of Adam and transported them around on land and at sea. We have provided them with wholesome things and favored them especially (over many of those whom We have created.(۱

t:۵

(Qur’an (۱۷:۷۰ -۱

Adam (a.s.) reached the stage that he was prostrated by all the angels, as the Qur’an says:

When I have finished with him and breathed from My spirit into him then drop down on your knee before him.(1)

All this was because he was a human being, and there is no difference between a man and a woman.

He taught Adam all the names of everything; then presented them to the angels, and said: "Tell me the names of these if you are so truthful." They said: "Glory be to you; we have no knowledge except whatever you have taught us. You are the Aware, the Wise!" He said: "Adam, tell them their names." Once he had told them their names, He said: "Did I not tell you that I know the Unseen in Heaven and Earth? I know whatever you disclose and whatever you have been hiding." So We told the angels: "Bow down before Adam." They (all) knelt down except for Diabolis. He refused and acted proudly, and became a disbeliever.(2)

If Adam (a.s.) was competent to understand those names and was competent to answer them, it was due to his special creation as a human being, and in this creation man and woman are equal. On the whole every virtue and exaltation, which has come in the Qur’an about human beings; man and woman are equal in it.

You will not find a single verse in Qur’an that degrades woman.

t:۶

۱- (Qur’an (۱۵:۲۹)
۲- (Qur’an (۲:۳۱-۳۴)

On this basis man and woman, from the viewpoint of Islam and Qur'an, are two human beings and there is no difference in them, and both are equally involved in managing the social responsibilities, some of which are as follow:

1) Man and woman are equal in their birth, reproduction, and the survival of humanity.

Qur'an says:

O mankind, We have created you from a male and female, and set you up as nations and tribes so you may recognize [and cooperate with] one another. The noblest among you with God is that one of you who best performs his duty; God is Aware, Informed.(1)

And says:

Mankind, heed your Lord Who has created you from a single soul, and created its mate from it, and propagated so many men and women from them both. Heed God through Whom you hold one another responsible, as well as nay ties of kinship. God is Watching over you. (2)

In the above verse both male and female are introduced as equally responsible for birth and continuing the generation of human beings, and they are the two main pillars of society. And fear of Allah is the standard, and the one who is more pious is superior among men and women.

t:7

1- (Qur'an (49:13)

2- (Qur'an (4:1)

۲) According to Qur’an, the only facility for the happiness of mankind is faith in Allah, purifying one's soul, self-discipline against evil, fearing Allah and doing good deeds; and in these things there is no difference between men and women. Both are capable to acquire spiritual perfection and gain proximity to Allah.

The Qur’an says:

We shall let anyone who acts honorably. Whether it is a man or a woman, provided he is a believer, live a happy life and reward them with their earning for the finest deeds they have been doing.(۱)

And Qur’an says:

So their Lord responded to them; "I shall never waste the work of any worker among you, whether it is a man or a woman. Some of you [have sprung] from others.."(۲)

Qur’an praises equally the men and women, those who are pious and do good deeds, and says:

Muslim men and Muslim women, believing men and believing women, devout men and devout women, truthful men and truthful women, patient men and patient women, reverent men and reverent women, charitable men and charitable women, fasting men and fasting women, and men who safeguard their private parts and women who safeguard [theirs], and men who remember God often and women who remember [Him] for [all of]

t:۸

۱- Qur’an (۴:۹۷)

۲- Qur’an (۳:۱۹۵)

(them God has prepared forgiveness and a splendid wage.(١

As Qur'an has pointed to some good and pious men and has praised them, it has also mentioned some pious women and has praised them. For example:

:It says about Mary

Her Lord accepted her in a handsome manner and caused her to grow like a lovely plant and told Zachariach to take care of her. Every time Zachariah entered the shrine to [see] her, he founf she had already been supplied with food. He said: "Mary, how can this be meant for you?" She said: "It comes from God, for God provides for (anyone He wishes without any reckoning."(٢

:And again it says about Mary

so the angels said: "Mary, God has selected you and purified you. He has selected you (over [all] the women in the Universe."(٣

:And says about the wife of Pharaoh

(They will acknowledge their offence, so away with the inmates of the Blaze!.(۴

Fatima Zahra (s.a.) the daughter of the holy Prophet (s.a.w.a.) is also from the praised women, that the Verse of Purification was revealed for her, her husband, father and sons.

t:٩

(Qur'an (٣٣:٣۵ -١

(Qur'an (٣:٣٧ -٢

(Qur'an (٣: ۴٢ -٣

(Qur'an (۶۶:١١ -۴

:The holy Qur’an says

Remain in your homes and do not dress up fancily the way they used to dress during [the time of] primitive Ignorance. Keep up prayer and pay the welfare tax, and obey God and His messenger. God merely wants to remove any blight from you [since you (are] People of the [prophet’s] House, and to cleanse you thoroughly.(١

The Prophet (s.a.w.a.) said about them that there are four great ladies of Paradise: Mary – daughter of Imran, Fatimah – daughter of Muhammad (s.a.w.a.), Khadija .daughter of Khuwailad, and Aasiya daughter of Muzahim and wife of Pharaoh

As you observe, Qur’an doesn’t prevent women's progress, growth, and acquiring the virtues of humanity. It acknowledges them to be fit for acquiring human values, in the .same way as men, and points out their example

Although some women are mentioned in Qur’an who had bad morals, like the wife of (Prophets Noah and Lut; and wife of the infidel Abu Lahab (uncle of the Prophet)(٢

But it is not because they were women; it was due to their bad character (manners). .Some men are also criticized like Pharaoh, Namrood, and Abu Lahab

Islam considers men and women as two main pillars of society; who have equal role (٣ in creating a

t:١٠

(Qur’an (٣٣:٣٣ -١

Qur’an (٦٦:١٠), Chapter ١١١ -٢

beneficial society. Men and woman who live in society are equally affected by its good, as well as, bad influences. Due to this, it is also a common responsibility of both men and women to seek the improvement of the society.

The Qur'an says:

Believers, whether men or women, must [act as] friends to one another, they should command decency and forbid wickedness, keep up prayer, and pay the welfare tax as well as obey God and His messenger. Those God will grant mercy to; God is powerful, Wise!(١)

It is true that the Prophet (s.a.w.a.) did not make it incumbent for women to go to the battlefields and fight the enemies, but all the responsibility of the society is not taken away from them like inviting towards good and refraining from evil, defending the religion, and its introduction, propagation, and spreading Islam, opposing the enemies, defending the rights of the depressed and oppressed, co-operating in good work, helping the needy and poor, nursing the ill, handicapped and old people, fighting against social evils, training and teaching the children, to develop the society, encouraging the justice of Islamic government, defending Islamic values, helping in the economy of the family and country, and tens of other responsibilities which are carried out by men and women equally.

۴) The fourth similar role of women and men is acquiring knowledge and discovering the secrets of the

t:۱۱

۱- (Qur'an (۹:۷۱

world, acquiring benefits from it, for comfort and happiness in life. For the acquisition of knowledge and getting benefit from it, there is no difference in Islam between .female and male, both are human beings, and have ability and responsibility

Islam emphasizes a lot for acquiring knowledge and introduces it as one of the duties. :For example, Imam Sadiq (a.s.) said

Acquisition of knowledge is incumbent on every muslim. Know that Allah loves those (who acquire knowledge.(۱

:Imam Muhammad Baqir (a.s.) said

The scholar who is useful to people with his knowledge, is better than ۷۰,۰۰۰ (worshippers.(۲

There are hundreds of traditions on this topic that do not discriminate between men and women in this matter. Women also have the duty to acquire knowledge, so that they become self independent, especially for the skills which are for their own need like: medicine, dentistry, psychology, nursing, gynecology, pathology, education, ecology, chemistry, management, accounting, theology, exegeses, jurisprudence, .history, grammar, arts, languages, law, economics and many other fields

Women form half of the society and may have their share in its management. They -should be specialists and experts in different fields, and should be self

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Al-Kafi, Vol. ۱, P. ۳۰ -۱

Al-Kafi, Vol. ۱, P. ۳۳ -۲

.independent, and get as many seats as are allocated to their male counterparts

It is necessary that half of the seats and positions be allocated to women in hospitals, clinics, universities, high schools, primary schools, pharmacies, laboratories, schools for religious education, training of propagators, and centers of Islamic propagation. And there should have been equal number of female scholars and experts. But :actually it is not like this. This may be due to two reasons

Selfishness and injustice of men during the centuries, that denied the natural rights (۱ .of women, and kept them away from power

Carelessnesses, lack of self-confidence, going after comfort, embellishment and (۲ make-up, which prevented them to realize their rights, and they strayed to other ways. It is necessary that women be aware of their responsibilities and try hard to .achieve independence, and take benefit from their legal rights

t:۱۳

THINK AND ANSWER

۱. What is the status of women in Islam?

۲. What is the role of women in human creation?

۳. What is the logic of Qur’an about the happiness of human beings?

۴. Are men and women equal as regards to happiness?

۵. What does Qur’an say about the good and pious women?

۶. What are the responsibilities of women for improvement and progress in the society?

۷. What is the teaching of Islam regarding acquisition of knowledge by women?

۸. What is the future course of action to be taken by women, and how can they become self-reliant?

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Women and Freedom .۲

Women, like men, are created free and like to be free, without the interference of others in their affairs. Desire for freedom is a natural instinct, and it is lawful. But is it possible for human beings to live free in the society? Persons are in need of other people, and should respect the rights and attitudes of other people, and should limit their freedom within the rules and regulations of the society. These limitations are not .harmful to the human beings, they are for their benefit

On the contrary, living quite freely and following the sexual desires, may be sometimes harmful to the society. In this situation, it is necessary to accept the .limitations, as it is for our own benefit

t:۱۵

Although Islam respects the right of freedom, but does not allow unconditional freedom, as we are social human beings. And because of this, by considering the physical and spiritual aspects, and the personal and social aspects of people Islam has put some laws and duties, and this limits their freedom. It is possible that some of the religious limitations may not be accepted willingly, and we think they violate our freedom; but this conclusion is due to false recognizing the interests of human being. If he were properly aware about them, he would not think that religious limitations are hindrance to freedom and would accept them satisfactorily.

The same applies to the freedom of women. Although Islam respects the freedom of women, and in its legislation has considered it, but it should not be against the interests of the society. Where freedom was not according to the realties, limitations are preferred than freedom.

Here we will, briefly point some of the freedoms of women.

FREEDOM OF WORK (١

Islam considers women as one of the two pillars of society, and has given them responsibilities. Women cannot, and should not, be paralyzed, and should not be rendered a useless existence. Islam considers work as a duty, and one of the best worships to God, and warns its followers against remaining idle and useless. There are many traditions, from which we mention some, as examples.

t:۱۶

:The holy Prophet (s.a.w.a.) said

Worship is divided into ٧٠ parts, and acquiring halāl (lawful) sustenance is the best of (them.(١

:Imam Moosa Ibn Ja'far (a.s.) said

(God hates a servant who always sleeps and is idle.(٢

Everyone has the right to work, and according to Islam it is a duty. There is no difference between men and women. Women should act according to their duties in the society and they are free to choose a job. However, due to her creation, physical qualities, and her mental conditions she should not choose those professions which do not fit her, and which are not according to her capability. From this aspect she is a soft, beautiful, and a lofty creature, and due to this loftiness and beauty she is attractive to men. While choosing her profession, she must be sure that her beauty is .not endangered

Therefore, difficult and tiring work is not suitable for women. Driving heavy vehicles, night work, working in coal and iron mines, cement factories, automotive industry, other difficult works, and those jobs that tire her. Engaging in these professions is beyond the capacity of women, and there is a risk that her beauty, softness and .loftiness would neither benefit them nor their husbands

.Here Islam advises men that they should not force women to perform difficult works

t:١٧

Al-Kafi, Vol. ٥ P. ٧٨ -١

Al-Kafi, Vol. ٥, P. ٨۴ -٢

:(.Amirul Mo-mineen (a.s.) said to his son, Imam Hasan (a.s

Don’t force a woman for those jobs that are beyond her capacity. Because it is better for her condition, peaceful for her heart, and protects her beauty. Woman is a flower (and is not a wrestler.(١)

Another important point for the women is that softness, beauty, and attractiveness are natural in women. In the same way, it is natural for men to get sexually aroused very soon. Therefore, for the well being of women and society, they should accept those professions in which there is less interaction with men at the working place. So that they may be protected from the possible danger for their faith, self esteem, and .help the society to remain healthy and safe, especially the single youth

It is also important to note that women are sentimental creatures and usually become emotional sooner than men. For this reason, the professions that require more firmness are not suitable for the well being of women and society; like working in .police, army, and judiciary

The last point that women should pay attention to, is that while choosing a profession, they should also consider the condition of their children and protection of the family. When the woman marries and has children, she must note that she also has a heavy responsibility towards them; that is looking after the husband and giving the right training to children. This responsibility is especially given due to her nature. It is true that she is

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Wasael, Vol. ١۴, P. ١٢٠ -١

free to choose a profession but she must only accept a profession, which does not harm the happiness of her family, and should not deprive the children from motherly .love, affection, and right training

In such cases there should be a co- understanding with her husband, and men also should keep away from bias, selfishness, and a dictatorial attitude, and by a fair .decision allow the woman to take up an appropriate job

FREEDOM IN OWNING PROPERTY (٢

Islam respects the right of ownership of the woman, in the same way as to man. A woman can acquire wealth through business, profession, dower, gifts, or any other legal way. She can benefit from their profits and no one, including her father, mother, .husband and children, has the right to use her property without her permission

:The Qur'an says

Do not envy the way that God has made some of you excel over others: men should have a portion of whatever they have earned, while women should have a portion of whatever they have earned. Ask God for some of His bounty; God is aware of (everything.(١

Freedom In Marriage (٣

Woman is free to choose her life partner. The marriage of girl without her permission is not allowed. No one, including her father, mother, grand parents, and

t:١٩

(Qur'an (۴:٣٣ -١

.brothers has the right to force a girl to marry a particular person

:Imam Sadiq (a.s.) said

Take the permission and consent from daughters for the marriage, who are virgin or (not, and without her consent the marriage is not correct.(۱)

Imam Sadiq (a.s.) said that when a person wants to marry his daughter to a particular person, he should first take her consent, and if she is silent, her silence can be considered as her acceptance. But in any case, marriage is not correct without her consent.(۲) Therefore, for the marriage to be correct, it is necessary to take her .permission, whether she is virgin or not

But for a marriage to be valid along with the consent of the girl, is it necessary to get the permission of the father or grandfather? Details have been given in this matter, and it is said that when the girl is a maiden, there is no need for the permission of her father or grandfather in next marriage. And she can independently take the decision :in this matter. This is clearly mentioned in traditions

Imam Sadiq (a.s.) said about the marriage of a woman who is not virgin, that she herself has more right, than any other person, in the situation where she had married .earlier, to marry whoever she wants

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Wasael, Vol. ۱۴, P. ۲۱۳ -۱

Wasael, Vol. ۱۴, P. ۲۰۴ -۲

:Imam Sadiq (a.s.) said

A woman who is once married (a divorced or a widow) can marry again without the (permission of her father, if there is no harm in her act.(1)

But if the girl is virgin, many of the jurisprudents believe that the consent of the girl's .father is necessary. There are some traditions under this topic

Imam Sadiq (a.s.) said, "without the consent of the virgin girl, the father cannot force (her to marry".(2)

Only the virgin girl has limited freedom in selecting a partner. She has to have the permission of her father (or paternal grandfather). But this limitation is not harming the girl, it is for her well-being. Because, a virgin has not married before and doesn't have experience, and due to shyness, she is unable to make sufficient investigation. Therefore, she needs an advisor having sympathy, feelings, and experience, so that she benefits from his guidance. Father and grandfather are the best people who can .help in deciding her future

Taking permission and advice of the father has other benefit too. Due to this respect to the father, he becomes happy and this attracts his support. These things strengthen relations, and are a sort of safeguard for the future life of .the daughter and son-in-law, in case they face problems

It goes without saying that there are two exceptions: The first is when it is not possible to reach the father (or

t:۲۱

Wasael, Vol. ۱۴, P. ۲۰۴ -۱

Wasael, Vol.-۱۴, P. ۲۰۵ -۲

grandfather), so permission can not be taken. Secondly, when there is a girl who needs husband, and good man is also available. But father, without any reason, makes excuses and refuses all the prospective grooms. In these two situations Jurisprudents have given permission to the girl that, without the consent of the father, .she can marry the man she likes, and fits her status

FREEDOM IN GETTING KNOWLEDGE (۴

A woman who doesn't have a husband can go in pursuit of knowledge and no one has the right to prevent her. But if she is married, she must consider the rights of her husband and children, and for continuing her studies should talk to her husband, and .take his advice

FREEDOM TO CHOOSE A RESIDENCE (۵

A woman who doesn't have a husband is completely free to choose her house. But if she is married she will live with him in his house. Arranging for the house is the responsibility of the husband, and he has the choice. Although the home should be according to their status and within the budget of the man. The house should be suitable for rest and peace of the family. If it is a common house and the wife does not get peace, and demands a private one, and if the husband is capable, he should accept her demand. If their house is small, or there is disturbance and if the wife demands to change the house; and if the husband has the ability, he should act .according to her desire. All these are briefly expressed in Qur'an

t:۲۲

:The holy Qur’an says

(And treat them kindly."(۱"

:And it says

House women wherever you reside, according to your circumstances, and do not harass them in order to make life difficult for them. If they are pregnant, then provide for them until they give birth, while if they are nursing [any babies] for you, then give them their allowances. Discuss things among yourselves in all decency, while if you (are hard on one another, then seek another wet nurse for (the father to pay).(۲

Although the choose of home is the husband’s right the wife can put condition, and .get the right about the area, or some special things, about the house

t:۲۳

(Qur’an (۴:۱۹ -۱

(Qur’an (۶۵:۶ -۲

THINK AND ANSWER

۱. Can a person live freely? Why?

۲. What is the viewpoint of Islam regarding the freedom of human beings?

۳. Are religious rules harmful for people?

۴. What is the viewpoint of Islam regarding unlimited freedom of women?

۵. What points should be kept in mind by the women while choosing a job?

۶. Do women have freedom of owning property?

۷. Does Islam advocate marriage of a woman without her consent?

۸. When is the permission of father (or grandfather) required?

۹. Is taking permission for marriage harmful to the girl?

۱۰. When a virgin girl can marry without the permission of her father?

۱۱. Who has the right to choose the house? The husband or the wife?

۱۲. When does the wife has a right to choose her house?

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Women and Hijab .۳

The meaning of Hijab is to cover. Hijab means a dress that covers the body of a woman. Islam has ordered women to cover their bodies completely and protect from .the eyes of strangers

The necessity of Hijab is proved from the verses of Qur’an and traditions. We mention ,three verses in this regard. Allah says in Qur’an

Tell believers to avert their glances and to guard their private parts; that is chaster for .them. God is informed about anything they may produce

Tell believing women to avert their glances and guard their private parts, and not to display their charms except what [normally] appears of them. They should fold their shawls over their cosmos and show their sharms only to their husbands, or their father or their father – in- law, or their own

sons or stepsons, or their own brothers or nephews on either their brothers' or their sisters' side; or their own womenfolk, or anyone their right hands control, or nale attendants who have no sexual desire, or children who have no yet shown any interest in women's nakedness. Let them not stomp their feet in order to let any (ornaments they may have hidden be noticed.(۱)

:The above verse was revealed about Hijab of women, which requires explanation

It begins with the command that the believing men and women should cast down their looks, and the men should not attract women, nor the women attract men. They .should not look at each other with evil intention

Sometimes a person sees another person, but it is not with an evil purpose; sometimes he sees to acquire pleasure; that is called a lustful glance. This second type of glance and pleasure seeking takes a person towards sin, and they are prohibited to do this. But those looks, which are not with the intention of seeking sexual pleasure, are not forbidden, as it may be necessary in the society and for social .life

Moreover, men and women are advised that they should protect their private parts. The purpose is to cover them or try to protect chastity. It mean wearing and .observing Hijab

" ...After that women are told: " AND DO NOT DISPLAY THEIR ORNAMENTS

t:۲۶

(Qur'an (۲۴:۳۰-۳۱ -۱

Ornaments (Zeenat) means decoration and make-up. There are two types of decorations: Jewels which are separate from the body like: earrings, necklace, ring, flower on the (fore) head, bangles, and fashion dresses. The second type are those decorations that are applied to the body like: Surma (antimony), nail polish, Henna, hair dye etc., the verse includes both types of decorations, and make-up. Women are advised to not show their make-up and decorations to stranger men, and through this .refrain from attracting their attention and stimulating their sexual desires

After this it says: EXCEPT WHAT APPEARS THEREOF... thus giving permission to women that those decorations that are naturally open, there is no need to cover them like surma, coloring of eye-brows, henna on the hands, ring, color of chador, overcoat and shoes. As women live in the society and have responsibilities, naturally the stranger men (namahram) will see face, hands and those decorations, which are apparent, and covering them is difficult and problematic for them. That is why they .are excepted; they can remain busy with their responsibilities without covering them

In some of the traditions, the apparent decoration is elaborated, which explain the .verse

Zorarah narrates from Imam Sadiq (a.s.) the explanation of the verse, that the (apparent decoration means Surma and ring.(١

t:٢٧

Wasael, Vol. ١۴, P.١۴۶ -١

Abu Basir says that he asked Imam Sadiq (a.s.) the exegesis, and he said the apparent (meaning is ring and bangles.(۱

After commanding Hijab the verse says: AND LET THEM WEAR THEIR HEAD-COVERINGS OVER THEIR BOSOMS. Khamar (head covering) means a big scarf. .Juyoob (covering of bosom) means a long cover and shirt with collar

It is said that women in the period of the holy Prophet (s.a.w.a.), used to wear a cloth which was open from the front and some parts of the chests used to be exposed, they wore scarves but had a custom that its two end were put on their ears, and it fell on their backs. As a result their ears, earrings, neck and some parts of their chests were seen. It was for this reason that the verse orders women, that they should put the .scarves on their coats so that ears, earrings, necks and chests remain covered

Tabarsi writes about the meaning of the verse that Khamar is a long scarf that may cover the neck and chest. The verse commands to put the scarf on the chest so that (the neck is covered.(۲

With reference to this verse he says: "It advises women to protect their chastity, and stops them from spoiling the society; while walking, they should not behave so that .they excite the sexual desires of stranger men, and cause problems

t:۲۸

Wasael, Vol. ۱۴, P. ۱۴۶ -۱

Majmaul Bayan, Vol. ۷, P. ۱۳۸ -۲

:From the above verse, we derive certain important ethical and religious points

Men and women should not have lustful looks at each other, and one should not (۱ .have the intention of pleasure in their social intercourse

.Women should not expose their ornaments, to the stranger men (۲

It is a duty of women to put their scarves in such a way, that they completely cover (۳ .their ears, earrings, around the necks and chests

Women are advised that they should try more for chastity. They should not behave (۴ .in public, in such a way as it may create scandal in the society

.It is not obligatory on women, to cover their beauty, which is naturally apparent (۵

Another Verse On Hijab

,The Qur'an says

O prophet, tell your wives and daughters, and believers' wives as well, to draw their cloaks close around themselves, that is more appropriate so they may be recognized (and not molested. God is Forgiving, Merciful .(۱)

Cloak (Jalbab) means a big dress or a dress, which is worn over the clothes and .covers the whole body. It also means a big scarf

t:۲۹

(Qur'an (۳۳:۵۹ -۱

On this basis, the exegesis of this verse is: Say to women that they arrange for a dress and scarf, in such a way that the whole body, chest and neck are covered and protect themselves from the eyes of stranger men. If they do so they will be considered .chaste and will not be noticed by stranger men and will not disturb the society

It can be derived from the verse that a Muslim woman should cover herself simply when she goes out, and in this way she can help in preventing evil in the society. This would be beneficial for the women themselves, and also for the young men, and all .the people in general

ANOTHER VERSE

,The holy Qur'an says

O wives of the Prophet, You are not like any other women, if you do your duty, then do not act too deferential while talking [to others] lest someone whose heart contains .malice may thereby be encouraged. Employ suitable speech

Remain in your homes and do not dress up fancily the way they used to dress during [the time of] primitive ignorance. Keep up prayer and pay the welfare tax, and obey God and His messenger. God merely wants to remove any blight from you [since you (are] People of the [prophet's] House, and to cleanse you thoroughly.(۱)

:In the above verse, they are noticed about three things

t:۳۰

(Qur'an (۳۳:۳۲-۳۳ -۱

While speaking, they should not be soft-spoken, because speaking sweetly may (۱) .arouse the vicious men, and stimulate them sexually

.She should be a housewife, and remain in the house (۲)

They should not uncover themselves, like the women of the period of ignorance (۳) (before Islam) and with the intention of showing themselves (display their make-up .and beauty) to the stranger men

At the end, I would like to remind that " AND STAY IN YOUR HOUSES " does not imply that wives of the Prophet and all other women should only sit in the house, and never come out. Because, as said earlier, women are also a part of the society. They have some responsibilities, and sometimes it is necessary to come out of the house. Women used to come out of their houses in the time of the holy Prophet, and used to come to the mosque, and listen to the speeches of the Prophet, and ask religious questions. There are many women who narrated traditions. Women took part in battles and treated the injured warriors. The wives of the holy Prophet also took part .in wars, but were not allowed to fight

The holy Prophet and his companions never made women captives in the houses, and the verse does not imply this. Its purpose is that women should be attracted to their family, and consider it their original place. They also should pay attention to home, .children, and husband, and consider themselves responsible

t:۳۱

(MAHAREM (VERY NEAR RELATIVES

There are two groups of men related to women: Whatever is said about Hijab of women, it is for those men who are strangers. And it is not incumbent to observe Hijab with those who are Mahram (very near relatives). Those men who are near, are :as follow

.Father, grandfather, and as far as the lineage goes up .١

.Maternal grandfather and as far as the lineage goes up .٢

.Brothers and their sons, and as far as the lineage goes down .٣

.Sons of sister, and their sons, as far as the lineage goes down .۴

.Uncle, and uncle of the uncle and as far as the line goes up .۵

.Husband, Father of husband, and as far as the lineage goes up .۶

.Father and mother of husband, and their fathers as far as the lineage goes up .٧

.Son of the husband, and his children, as far as the lineage goes down .٨

.Son, and his children, grandsons, as far as the linage goes down .٩

.Daughter, and her children, grandsons, as far as it goes down .١٠

t:٣٢

.Son-in-Law, and son-in-law's son-in-law as far as the linage goes down .١

The above-mentioned people are Mahram. They can see the hair and body of each other, and it is not compulsory to do Hijab from them. However, with the condition that, they should not see with lust; otherwise one cannot see the Mahram. If it is for .lust, even women cannot see other women, and men can not see another man

t:٣٣

THINK AND ANSWER

What is the meaning of: SAY TO THE BELIEVING MEN THAT THEY CAST DOWN .۱
?THEIR GLANCES

?What decorations should not be shown by women to stranger men .۲

?What decorations are not necessary to be covered .۳

.Give the comment of: AND WEAR THEIR HEAD COVERING OVER THEIR BOSOM .۴

?Why the women shouldn't behave in the society, in an exciting manner .۵

?(How long should be the head cloth (scarf .۶

?How many points can be derived from the verses of Surah Nur .۷

?What is the meaning of Jalbab (bosom covering) and how should one wear it .۸

?What is the meaning of: THEY LET DOWN UPON THEM THEIR OVER-GARMENTS .۹

What is the meaning of: THIS WILL BE MORE PROPER, THAT THEY MAY BE .۱۰
?KNOWN

?How should a muslim woman go out of her house .۱۱

?What message do we get from the verses of Surah Ahzab .۱۲

?(Give the list of people who are Maharem (very near relatives .۱۳

t:۳۴

Limits of Hijab .۴

Hijab is one of the obligatory duties in Islam, as all Jurisprudents agree. It is the duty of women to cover their bodies from stranger men, by chador, cloak , a long shirt, coat, an overcoat, a scarf, or any other thing, which covers the whole body. There is .not a particular and special type of covering

Although no controversy in the necessity of Hijab, there are different opinions, among the jurisprudents, as regards the covering of face and hands up to the wrist. Some of them consider it incumbent or necessary. But many others do not say so. The :following are some arguments that prove it is not incumbent

t:۳۵

FIRST PROOF

:Traditions, which directly and clearly deny the covering of face and hands up to wrist

Musāda Ibn Ziyad says that he heard from Imam Ja'far-e-Sadiq (a.s.) that he replied the question about the "open decoration" of women, and said that it denotes "face (and hands".(١)

Imam Sadiq (a.s.) was asked which part of the body of the woman can be seen by an ?stranger man

:Imam replied

(Face, hands and feet".(٢"

Ali Ibn Ja'far says, "I asked my brother Moosa Ibn Ja'far (a.s.) that which part of a "?non-Mahram women is allowed to be seen by men

:He replied

(Face, hands and the place of bangles."(٣"

Ali Ibn Suaid says: "I asked Imam Moosa Ibn Ja'far (a.s.) that I am engrossed in "?seeing a beautiful girl, and I would like to see her, what should I do

:He replied

There is no problem till there is no intention of betray, but be careful; do not commit" ,fornication

t:٣۶

Wasael, Vol. ١۴, P. ١۴۶ -١

Wasael, Vol. ١۴, P. ١۴۶ -٢

Tafseer Nurus Thaqalayn, Vol. ٣, P. ۵٩٠ -٣

(which will take away bountifulness (barakah) and destroy the religion".(١)

Mufazzal says that he told Imam Sadiq (a.s.); "May I be sacrificed for you! What is the order about a woman, who goes on a journey with stranger men, and there is no woman to accompany her, and she dies during that journey?"

He answered:

"Give her ritual bath on the parts of Tayammum, but do not rub her hands. And whatever Allah has commanded to cover; and do not uncover her."

Mufazzal asked what should be done to her body?

He replied:

"They should wash her on the palms; Then her face, and then wash the upper portion of the hand."(٢)

SECOND PROOF

Those traditions, which clearly do not specify exception of face and hands, but indirectly say that it is not compulsory to cover them.

Muhammad Ibn Abi Nasr says that he asked Imam Reza (a.s.): "Can a man see the hair of his wife's sister?" He replied:

"No, unless she is old and unattractive."

Then I asked if it was the same with regard to other women? He said: "Yes."

t:٣٧

١- Tafseer Nurus Thaqalayn

٢- Wasael, Vol. ٢, P. ٧١٠

Then I asked which part of the body of an old lady is allowed to see? He said: "Hair (and arms."(1)

The narrator asks for the permission to look at the hair of the wife's sister, but did not take permission to look at the face, as he knew to look at the face was already permitted, otherwise he would have asked about the face also. And in the same way when Imam (a.s.) answered the narrator's question for the permission to see the old lady, he did not say about the face, because to look at the face was a known fact and .there was no need to repeat it; otherwise he could add it also

:Imam Reza (a.s.) said

Encourage the son to pray at the age of seven. However, the female will cover her" (hair from him when he discharges (is sexually mature)."(2)

Abdul Rahman says: I asked Imam Moosa Ibn Ja'far (a.s.) about the girl who has not reached the age of puberty, from what time should she cover her head? And from ?what time she has to cover her head for Prayer with a scarf

He replied: " She must cover her head when she menstruates, and Prayer becomes forbidden for her in

(it. " (3)

In these two traditions the compulsion to cover the hair and head for girls is from ,puberty, but nothing is said for covering of face. If covering the face was incumbent

t:۳۸

Wasael, Vol.۱۴, P. ۱۴۴ -۱

Wasael, Vol. ۱۴, P. ۱۶۹ -۲

Wasael, Vol. ۱۴, P. ۱۶۹ -۳

it was necessary to mention it. From this we come to know that it is not compulsory .for women to cover the face

THIRD PROOF

It is derived from the verse " DO NOT DISPLAY THEIR ORNAMENTS EXCEPT WHAT APPEARS THEREOF " that it is not compulsory to cover the face because in the traditions of Ahlul Bayt (a.s.) the permission to use surma, finger ring etc. is based on this part of the face. Therefore, it should not be incumbent to cover the face and .hands, which are decorated

The verse " AND LET THEM WEAR THEIR HEAD-COVERINGS OVER THEIR BOSOMS "(۱) also proves that covering of the face in not compulsory, because women are advised to observe Hijab, and put on the chest, around the neck and the front part should be covered. But there is no mention as regards the covering of face. Thus we know that it is not compulsory. Also in the tradition of Masad Ibn Sadaqa, it is pointed ... out that face and hands are included among the EXCEPT WHAT APPEARS THEREOF

FOURTH PROOF

From some of the traditions and historical incidents we come to know that the practice of women in the period of the holy Prophet (s.a.w.a.) was not to cover the face. They used to come in the gatherings, streets, and markets with their faces open. Men used to see their faces and talk with one another, do transactions, listen to traditions from the holy Prophet (s.a.w.a.) and narrate

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Surah Nur ۲۴:۳۰ -۱

them to other men. There are hundreds of women among the traditionalists. The wives and daughters of the Prophet (s.a.w.a.) were no exception. Many traditions are narrated from Aysha, Hafsa, Umme Salma, Fatima; hundreds of traditions are narrated from them. But the holy Prophet (s.a.w.a.) did not order women to cover their faces, nor did he stop men from seeing the faces of women or stop them from listening to their voices, but he refrained them if it were with pleasure. Please read the :following story

Jabir Ibn Abdullah Ansari says: "Once the holy Prophet (s.a.w.a.) went to see his daughter Fatima (s.a.). I was with him. When we reached the door of the house." He knocked and said, " Assalamo Alaikum. " Fatimah replied from inside, " Alaikasalaam Yaa Rasulallah ." The Prophet asked, "if we could enter the house." Fatimah said: " Please come in. " The Prophet asked: " Should I enter with my companion? " Fatimah said: " I don't have scarf on my head. " The Prophet told her to put the extra scarf on her head. Fatimah did so. After that the holy Prophet said: " Assalamo Alaikum. " Fatima replied to the greeting. Then he asked: " Shall I enter with my companion? " " .She said: " Please come in

Jabir says that they entered. "My eyes fell on the face of Fatima, which was yellow like turmeric." The Messenger of Allah (s.a.w.a.) asked: " How did your face become like this? " She said it was because of severe hunger. The Prophet raised his hands in supplication and said: " O Allah! Who feed the hungry people, feed Fatima, daughter of " .Muhammad

t:۴۰

Jabir says, "By Allah! After the supplication of the Messenger of Allah (s.a.w.a.) I saw the flowing of blood in the face of Fatima. Her face became red, and after that she never suffered starvation."(1)

From this story we can derive that the face of Fatima (s.a.) was open in such a way that Jabir first saw its yellowness, and after the supplication saw its redness.

Saad Iskaf narrates from Imam Baqir (a.s.) that a young man saw a woman in the streets of Medina. In those days women used to put their scarf behind their ears. The young man was looking at her till he reached her and passed by her. After that the young man looked at the woman from behind. Meanwhile, his head banged against a bone or glass, which was in the wall. His face got scratched and blood came down on his chest and clothes. The young man said by the promise of Allah, "I will complain about her to the Messenger of Allah (s.a.w.a.)."

The young man came to the holy Prophet (s.a.w.a.) who asked him how he got smeared with blood. The young man told the whole story. At that time Jibrael came down and brought the verse: " SAY TO THE BELIEVING MEN THAT THEY CAST DOWN THEIR LOOKS AND GUARD THEIR PRIVATE PARTS; THAT IS BETTER FOR THEM; SURELY ALLAH IS AWARE OF WHAT THEY DO... "(2)

This story tells us that women in the period of the holy Prophet (s.a.w.a.) and in the early period of Islam did not cover their faces; rather they used to put the scarf

t:۴۱

۱- Tafseer Nurus Thaqalayn, Vol. ۳, P. ۵۸۷

۲- Tafseer Nurus Thaqalayn, Vol. ۳, P. ۵۸۸

behind the ears, and as a result the ears, earrings, neck, and their bosom were visible. Because of this the young man faced that accident and complained to the Prophet of Islam, (s.a.w.a.). And after that the verse of Hijab was revealed. The women were ordered to cover two sides of shoulder with the head cloth, and put their ends on their chests, so that their ears, earrings, neck, and bosom are covered. But the point is that there is no command for covering the face. Thus, we come to know that it is not compulsory. But in order to prevent the scandals, and to protect the society, men and .women are advised to keep their looks down and do not look at each other lustfully

t:۴۲

THINK AND ANSWER

?Is it compulsory to cover the face .١

?What is the proof that it is not compulsory to cover the face .٢

How do you conclude from the sentence: AND DO NOT DISPLAY THEIR . ٣ ORNAMENTS EXCEPT WHAT APPEARS THEREOF, that it is not compulsory to cover ?the face and hands

How do you conclude from the sentence: AND LET THEM WEAR THEIR HEAD- . ۴ ?COVERINGS OVER THEIR BOSOMS that it is not compulsory to cover the face

?(.What do you conclude from Jabir's tradition report about Hadhrat Fatima (s.a .۵

?What do you conclude from the accident of the young man .۶

t:۴٣

Philosophy of Hijab .۵

Although it is incumbent on woman to cover her body, and it is one of the commands of Islam, an important question is discussed which requires an answer. The question is "what is the philosophy of Hijab?" Why Islam has limited the freedom of women by ?prescribing Hijab? Is not this unjustice

In short it can be said that the purpose of Islam by Hijab is to strengthen the base of the family, prevent deviation and evil effects of sex, maintain health and safety of the society, betterment of environment and to reduce sexual evil effects. This type of control does not harm the women; rather it is for the benefit of women, their children, .husbands, and all the people of society

:To make this more clear we explain a few points

t:۴۴

We should know that men and women are two main pillars of society; and the .۱ happiness, peace, and comfort of every person of society, to a great extent depends on healthy, safe, and clean environment. Since it is their responsibility to make the environment good, healthy, safe and clean, they should co-operate and help in this .case

Woman is a soft and lofty creature, who is attractive for men. She is naturally .۲ inclined to use make-up, to beautify and show herself and attract the hearts of men. But man is a creature with strong drives to have contact with frequent women, and completely weak against sexual desires. His sexual desires flare up fast, beyond his control. When it is aroused, even wisdom, law, and religion can not control this .rebellious energy

Everything of women, especially the young women arouse men. Their beauty, their beautiful clothes, their soft voice, attractiveness, actions, hair, the warmth of their .body, all stimulate the rebellious sexual drives in men

In the society there are many young men who due to poverty, economic problems, .۳ unemployment, less income, or any other reasons, do not have money to marry. The number of such people are not rare, and they are young, and have uncontrollable .sexual desires. Their pitiful condition cannot be neglected

By paying attention to these points, the questions arise: How can we secure the interests of women? By complete freedom regarding their covering? or observing Hijab and bearing some limitations? For understanding

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the right answer, it is better to analyze the ۲ supposed communities, and compare the .results

THE FIRST COMMUNITY

In this type of society, women have complete freedom from Hijab and mix up with men. In order to arouse men they would naturally show themselves, their beauty and make-up, half naked bodies with revealing dresses, in different colors and fashion they will come out into the street, market, office, shop, university, hospital, school, in meeting and general gatherings, will have free contact and intercourse with strange .men

With naked body and beauty, attracting men and wherever they go they would take a lot of hearts with themselves. If she doesn't have husband, every night she would be in cinema hall, cabaret, dance parties, clubs, parks and roaming in the streets. And if she had husband, she would have been with him if she liked, and if she were not !inclined, she would have gone alone wherever she liked just because she feels free

In such a society, boys and girls, on the pretext of freedom, they will mix up and form .friendships and they would have free sexual relations among themselves

In such a society, men also, by socializing with strange women would act freely. If possible, they would have relations with every woman they love. They would go to cinema together, have deals, go to dance parties, parks, roam in the streets, go to .centers of evil, indecency and drink, and make pleasure

In such a society, women come out of houses without Hijab, without any limitations, socialize with strange

:men, and have free sexual relations; but such a freedom has the following results

It shakes the sacred foundation of the family. Man and woman pay no more attention to their family. Suspicious and negative thinking of women and men towards each other, straitening and controversies in the family, increase of illegitimate children, homeless people, increase of mental problems, increase in murder, crime, and suicide, spoiling the chastity of singles, delay in marriage, lack of interest in youth for having a family, increase of youth inclination towards promiscuity and deviated sex, increase in divorce and separations, and many men and women would have to live .single

.You can see such disintegrated families in every country

Is such a society interesting to women, men and youth? If simple feelings are put .aside, surely the answer would be negative

THE SECOND COMMUNITY

In this society women have active presence. By observing the possibilities, they accept jobs and carry their duties. In schools, high schools, universities, research centers, hospitals, clinics, laboratories, banks, offices, parliaments, embassies, governmental ministeries, and other important and appropriate posts, women are active, like men. But they have perfect Hijab and cover their bodies. When they come out and work, they do not make-up themselves. They come out of the houses covered, simple, and without make-up. They use make-up at home only for their .husbands

t:۴۷

They accept this limitation and by a little sacrifice, they see that the environment remains safe and clean from those things which spoil and misguide the society. They do this for those who don’t have money to marry, so considering the conditions of those men and youth, they carry Hijab. Never should the stranger men see them and be feelingless towards their wives, and pick out defects, make excuses and convert .their houses into a scene of fighting and separation

They accept this limitation, so that the young girls and boys, who are the children of women, may remain far from evil and sexual promiscuity, until they take steps, at an .appropriate time, marry and set up their families

They accept this limitation, to make firm the base of their family. They help the family to reduce the number of divorces, single adults living alone, and miserable children .who are without guardians

In this type of society, the families are usually warm and the relations between woman and her husband is relatively good, and there is less dispute. The youth have interest in marriage, and family. The number of divorce, and number of unmarried .men and women is not too much. Children without guardians are rare

In this type of society, fathers and mothers are more careful about their youngs from .bad ethics, misguidance, and mental diseases

Is living in this society better for women or the last one? Every rational person agrees .that the latter is better and safer than the former

Islam, too, considers it better and safer. For this reason prescribes Hijab, and orders (women to cover their beauty and ornaments from stranger men.(۱

The holy Prophet restrained women from doing make-up for anyone other than their husbands, and said "whoever does make up for a man other than her husband, It (deserves that God burn her in hell fire."(۲

Imam Muhammad Baqir (a.s.) said "when the woman comes out of her house, she (may not apply fragrance (perfume). "(۳

:He also said

It is not allowed for a woman to shake hands with stranger man unless from the" (back of her clothes (gloves)." (۴

For cleaning the environment, Islam has not only prescribed Hijab for women, but .also advised men that they should keep their lustful look from women

:The Qur'an says

Tell believers to avert their glances and to guard their private parts; that is chaster for (them. God is informed about anything they may produce.(۵

Imam Sadiq (a.s.) said that looking at strangers is a poisoned arrow from Satan, and (at such times a glance provokes the desire to prolong it.(۶

t:۴۹

Qur'an ۲۴:۳۱ -۱

Wasael, Vol. ۱۴, P. ۱۵۴ -۲

Wasael, Vol. ۱۴ P. ۱۶۳ -۳

Wasael, Vol. ۱۴, P. ۱۶۳ -۴

Qur'an ۲۴:۳۰ -۵

Wasael, Vol. ۱۴, P. ۱۳۸ -۶

He has also said that a glance at strangers is a poisoned arrow of Satan, anyone who leaves it for the sake of Allah, will taste the pleasure of faith and safety.(۱)

He again said that "whoever sees an stranger, if he diverts his glance towards the sky or closes his eyes, Allah, in return, will give him a Houri in Paradise."(۲)

The holy Prophet said that whoever shakes hands with stranger women, would be thrown into the fire of hell with his hands tied, on the Day of Judgment.(۳)

He has also said that whoever jokes with a woman who is not his near relative (Mahram), for every word spoken to her, Allah will imprison him for ۱۰۰۰ years.(۴)

Amirul Mo-mineen (a.s.) said that no man should stay alone with a strange woman, since if he stayed alone with her, Satan would be the third with them.(۵)

Moosa Ibn Ja'far (a.s.) narrated from his forefathers, from the Messenger of Allah (s.a.w.a.) that:

"Whoever has faith in Allah and the Day of Judgment, will not sleep alone in that place where the voice of breathing of a strange woman reaches his ears."(۶)

t:۵۰

۱- Wasael, Vol. ۱۴, P. ۱۳۹

۲- Wasael, Vol. ۱۴, P. ۱۳۹

۳- Wasael, Vol. ۱۴, P. ۱۴۳

۴- Wasael, Vol. ۱۴, Pg. ۱۴۳

۵- Mustadrakul Wasael, Vol. ۲, P. ۵۵۳

۶- Wasael, Vol. ۱۴, P. ۱۳۴

THINK AND ANSWER

۱. What is the philosophy of Hijab?

۲. What happens when there is no Hijab?

۳. Is unveiling beneficial to women?

۴. What are the benefits of Hijab?

۵. Is following of this rule harmful to women?

۶. What does Islam require from women to make a clean and safe society?

۷. What does Islam demand from men to make a clean and safe society?

۸. Is the rule of Hijab oppressive to women?

۹. Does the compulsory Hijab deprive women from attending and taking part in the society?

t:۵۱

۶. Marriage and its benefits

The family is a small society that starts with the union of man and woman, and by the birth of a child it becomes firm. Marriage is a natural need of a person, and by the marriage ceremony it becomes legitimate.

Islam gives importance for establishment of family, and considers it to be sacred and the Islamic traditions consider it as the best institution.

Imam Muhammad Baqir (a.s.) narrates from the holy Prophet (s.a.w.a.) that the best institution liked by the Almighty Allah, is that which is founded on marriage.(۱)

Imam Sadiq (a.s.) narrates from the holy Prophet (s.a.w.a.) that nothing is dearer to Allah than a home that

t:۵۲

۱- Wasael, Vol. ۱۴. P. ۳

is happy through marriage. And nothing is more hated by Allah than the home, which is destroyed by a divorce.(١)

Marriage is a valuable practice (sunnat) that the holy Prophet and the Infallible Imams have emphasized it.

The holy Prophet (s.a.w.a.) said:

"Marriage is my practice, and whoever refuses it is not from my followers."(٢)

Amirul Mo-mineen (a.s.) said: "Get married.

Since the messenger of Allah told whoever likes his practice, should know that it is his practice."(٣)

Islam does not consider marriage as an animal act, and does not preach Puritanism. According to Islam marriage is a source for purifying the soul, and its discipline, and a factor for keeping away from sin and gaining proximity to Allah.

Imam Sadiq (a.s.) said that a short pray of a married person is better than a very long pray of an unmarried person.(۴)

The Prophet (s.a.w.a.) said that a short pray of a married person is better than the worship of a single person who prays in the nights and fasts in the days.(۵)

Imam Sadiq (a.s.) narrates, "the worst of your departed ones, are those who died single."(۶)

t:۵۳

١- Wasael, Vol. ١۴, P. ۵

٢- Bihar, Vol. ١٠٣, P. ٢٢٠

٣- Wasael, Vol. ١۴, P. ۶

۴- Wasael, Vol. ١۴, P. ۶

۵- Wasael, Vol. ١۴, P. ٧

۶- Wasael, Vol. ١۴, P. ٧

From the view point of Islam, marriage and family are important task and has many :benefits. Some of them are mentioned below

A MEANS OF FRIENDSHIP AND LOVE .۱

In this difficult life, man requires peace, tranquility, and love. He needs a person who would be the trustee of his secrets, his heartedly friend, and a supporter. So that he can make friendship with her and benefit from her love, help, and sincere support. He needs a person who would be his partner in health and illness, prosperity and difficulties, happiness and sorrow, poverty and wealth, and in all circumstances; to be .loyal, sympathetic, and caring to him

And who is better than a wife to fulfill these needs, and what place is better than the :home. The Qur'an says

Among His signs is [the fact] that He has created spouses for you from among yourselves so that you may console yourselves with them. He has planted affection (and mercy between you; in that are sings for people who think things over.(۱

A MEANS OF CHASTITY AND PROTECTION FROM SINS .۲

Human beings naturally need sex to satisfy their desires. If it is not satisfied legally, then its control will be difficult and takes a person towards misguidance and sin. On this basis, marriage is a good and safe means for satisfying sexual desires, and a .safeguard from bad behavior

t:۵۴

Surah Rum ۳۰:۲۱ -۱

The holy Prophet (s.a.w.a.) said that whoever wants to meet Allah pure and clean, should marry.(۱)

Imam Sadiq (a.s.) quotes from the Holy Prophet that he said: Whoever marries, protects his religion.(۲)

Imam Moosa Ibn Ja'far narrates through his forefathers, from the holy Prophet that,

Every young man that marries in the beginning of his youth, the Satan cries: 'Oh! This young has protected two thirds of his religion.' Then for the remaining one third he should observe piety.

۳. A MEANS OF HEALTH OF BODY AND MIND

Sexual desire and its satisfaction is one of the natural needs that are necessary at the time of need and would keep health on the body and mind. Any control and suppress of it makes a person depressed and creates an abnormal condition. Many diseases like mental illness, depression, nervousness, confusion, fear, negative thinking, lack of confidence, and anger; could be due to suppressing the sexual desires. That is why marriage, at the proper time, and satisfying sexual desires through legal ways, can be one of the factors for the health of body and mind.

The holy Prophet (s.a.w.a.) said:

Marry those men and women who are single, so that Allah will make their behavior good, and

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۱- Wasael, Vol. ۱۴, P. ۶

۲- Wasael, Vol. ۱۴, P. ۵

(increase their sustenance and increase their decency.(1

HELP THE WELL BEING OF THE SOCIETY .۴

If young people marry at the beginning of their youth, they would be attached to and be warm with their family and remain safe from bad ethics. This will decrease the crossing of limits with other women, delusion of girls and women, fornication, homosexuality, masturbation and also drug addiction, killing, crime and stealing. On this basis marriage, at the proper time, has a great effect on heath and safety of the environment. Due to this, Islam advises to the parents that they should arrange the .marriage of the singles

:The Qur'an says

Marry off any single persons among you, as well as your honorable servants and maids. If they are poor, God will enrich them from His bounty. God is Boundless, (Aware.(2

:The holy Prophet (s.a.w.a.) said

The child has three rights on the father: a good name for him, to teach him writing, (and when he reaches the suitable age the father should arrange for his marriage.(3

t:۵۶

Bihar, Vol. ۱۰۳, P. ۲۲۲ -۱

Qur'an ۲۴:۳۲ -۲

Makarimul Akhlaq, Vol. ۱, P. ۲۵۳ -۳

A MEANS OF PRODUCE OF GENERATION .۵

Islam pays attention to the birth of children and increase of generations, and that is .one of the important aims of marriage

:Imam Muhammad Baqir (a.s.) said

What does prevent a believer from marriage? May be Allah would give him a child who makes the earth heavy by the saying of "La ilaha illallah (There is no God except (Allah)".(۱)

:The Prophet of Islam (s.a.w.a.) said

Do Marry! So that you can increase the numbers so that on the Day of Judgment I will be proud of my nation over the previous nations, even with a miscarriage (aborted (fetus).(۲)

A MEANS OF PLEASURE AND SATISFACTION .۶

One of the important benefits of marriage is pleasure and satisfaction of sexual desires through legal ways. The sexual pleasure is one of the best pleasures in the world. And in Islam it is not bad; rather it is legally practical, but if there is an intention .of divine proximity, there is reward for it. Sometimes it even becomes obligatory

:Marriage is a sacred relationship that takes place due to some factors

.Acceptance of man and woman (۱)

t:۵۷

Wasael, Vol. ۱۴, P. ۲۵۳ -۱

Bihar, Vol. ۱۰۳, P. ۲۲۰ -۲

(١) Permission of father (or grandfather), in case the girl is virgin.

(٢) Fixing of dowry. Dowry can be a property, cash, credit, or any other wealth, less or more.

(٣) By reciting of the marriage formula, by the man and the woman, or their representatives, provided they know Arabic.

After reciting of the marriage text, man and woman become husband and wife, and their separate lives change into a family life, and there are new responsibilities for them.

t:٥٨

THINK AND ANSWER

۱. What is the Islamic view on marriage?

۲. What did the holy Prophet (s.a.w.a.) say about marriage?

۳. What are the benefits of marriage?

۴. When does marriage affect the body and mind of a person?

۵. What is the effect of marriage of young people in the society?

۶. How does marriage takes place?

t:۵۹

The Comparative Rights and Duties of Husband and Wife .۷

According to Islam, family is a small society. And large societies come into existence from these small units. This small family comes into existence due to the unification of a man and a woman. It develops with the birth of children. There is a complete relation between the members of the family, and they have similar aims and benefits. The happiness of a member depends on the happiness and good fortune of other members. Previously the men and women were thinking about themselves; but after marriage they think about all the family members. The relation between a couple is not like that of two partners, two neighbors or two friends; but it is a combination of .all these, and nearly a unification

t:۶۰

:The Qur’an mentions this in a beautiful way

Among His signs is [the fact] that He has created spouses for you from among yourselves so that you may console yourselves with them. He has planted affection (and mercy between you; in that are signs for people who things over.(١

The words HE CREATED MATES FOR YOU FROM YOURSELVES proves the intensity of :the relationship and companionship. Another verse about husband and wife says

(Wives are dress for you and you are also dress for them.(٢

The expression of husband and wife to be clothes of each other, shows the intensity of marital relations and nearness to each other. Dress is the nearest thing to the body of a person, and it is a necessity, so that it can protect one from heat and cold, cover his defects and impart beauty and comfort. The husband and wife are like this to each .other

Islam pays attention to the base of the family and good relations between husband and wife, and prescribes their duties and rights. The rights and duties of husband and wife can be divided into two parts, the common duties and the special ones. We :discuss them in the following pages

t:۶۱

Qur’an ٣٠:٢١ -١

Qur’an ٢:١٨٧ -٢

A) THE COMMON RIGHTS AND DUTIES

:Rights and duties that both of them, husband and wife, should observe are

GOOD BEHAVIOR .۱

.There should be good behavior between husband and wife

The holy Qur'an says: TREAT YOUR WIVES KINDLY. (۱) Although the verse addresses .men; however, women, have the same duty

The husband and wife should behave each other with sympathy, good ethics, good behavior, humor, feelings for each other, helping, discipline, justice, truthfulness, trustees of secrets, trustworthy, good willing, and kindness. Traditions also .emphasize good behavior of husband and wife

:The holy Prophet (s.a.w.a.) said

A comprehensive person from the point of faith, is one whose behavior and ethics are)good. Your gentle people are those who have good behavior with their wives.(۲

ATTRACTING THE ATTENTION OF THE PARTNER .۲

It is the duty of husband and wife to be clean, wear proper clothes, proper haircut and face, and consider the desires of each other. Islam advises women that they should make up for their husbands at home, and wear the

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Qur'an ۴:۱۹ -۱

Bihar, Vol. ۷۱, P. ۳۸۹ -۲

.best clothes. They should remain clean and tidy and use perfume

Imam Sadiq (a.s.) said that once a woman came to the holy Prophet (s.a.w.a.) and :asked: What are the rights of a man on woman? He said

It is the duty of wife that she should use the best perfumes, wear the best of her clothes, wear the best jewelry, and in this way should present herself in morning and night in front of her husband. Nevertheless the man's rights are more than this.(۱)

The husband has also the same duties towards his wife. He should be clean and tidy, .uses perfume and good clothes, maintains his face and head, and lives nicely at home

Ja'far Ibn Muhammad (a.s.) narrated from the Holy Prophet that he said; " Each of you should prepare yourself for your spouse, in the way woman keeps herself ready for her husband. " Then Ja'far Ibn Muhammad (a.s.) said: It means cleanliness and tidiness should be observed.(۲)

The Prophet of Islam (s.a.w.a.) said: " The right of the wife on her husband is that he must arrange food and clothes for her, and should not enter with a dirty appearance. If he does all this he has fulfilled his duty. " (۳)

t:۶۳

۱- Wasael, Vol. ۱۴ P. ۱۱۲

۲- Mustadrak, Vol. ۲, P. ۵۵۹

۳- Bihar, Vol. ۱۰۳, P. ۲۵۴

Hasan Ibn Jaham says that he saw Moosa Ibn Ja’far (a.s.) had dyed his hair. I said: "?"May I be sacrificed for you, have you dyed your hair

He replied: "Yes, because preparation of man, increases the chastity of woman. Woman who lost her chastity did so due to her husband who had not prepared himself ".for his wife

:Then he said

?Would you like to see your wife in a condition that you yourself don’t like

.No", I replied"

(He said: "Your wife also desires the same. "(١

SEXUAL SATISFACTION .٣

Although sexual satisfaction is not the only purpose of marriage, it is one of the important aims and the basic stimulus for marriage. Good relation of husband and wife is very important for a stable family. Sexual satisfaction is one of the duties of husband and wife. Husband and wife should be prepared for each other. Whenever, one of them has the desire for it; the other should also prepare him/herself and .should not excuse

:The holy Prophet (s.a.w.a.) used to say to women

(Don’t prolong your Prays so that your husbands’ desire for sex may not get over. "(٢"

t:۶۴

Wasael, Vol. ١۴ P. ١٨٣ -١

Wasael, Vol. ١۴, P. ١١٧ -٢

During intercourse the husband and wife should not think about their personal pleasure only. They should care about the satisfaction of their partners too. Because satisfying the sexual desires has good effect on the relations of the couple, and also makes the base of the family more stable.

Amirul Mo-mineen (a.s.) said:

"Whenever one of you goes towards your spouse, you should not do it in haste. "(1)

Imam Reza (a.s.) said:

Wife has the same expectation from you as you have from her.(2)

4. LOOKING AFTER AND CHILDREN AND THEIR TRAINING

Looking after children and protecting their health, training them physically and spiritually, education and their training is a common duty of mother and father. This requires co-operation, and firmness. Although father has a great responsibility in this regard, the role of mother is more sensitive and formative for the child.

B) SPECIAL DUTIES OF HUSBAND AND WIFE

DUTIES OF THE HUSBAND

Man along with the common duties, due to his special creation has special duties; we mention some of them:

t:65

1- Mustadrak, Vol. 2, P. 545

2- Mustadrak, Vol. 2, P. 545

SUPERVISION AND GUARDING THE FAMILY (۱)

In Islam, mastership, guardianship, management of the family are responsibilities of .man

:The Qur’an says

Men are the ones who should support women since God has given some persons advantages over others, and because they should spend their wealth [on them]. Honorable women are steadfast, guarding the Unseen just as God has it guarded. Admonish those women whose surliness you fear, and leave them alone in their beds, and even beat them [if necessary]. If they obey you, do not seek any way [to proceed] against them, God is Sublime, Great.(۱)

Although the affairs of the family should take place through understanding, advice, and co-operation of husband and wife, but this small family like other gatherings, cannot be managed nicely without an effective manager. The families without managers usually don’t get the expected results. On this basis should the wife take up ?the responsibility and care of the family or the husband should

As men are more rational than women, and can bear the problems, the responsibility .of supervising the family is laid on them

On the other hand, women are usually more sensitive and sympathetic than many .men, and they perform the jobs that require sympathy

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۱- Qur’an ۴:۳۴

Due to this, the well-being of the family would require the supervision of man, and that the important works of life should be performed by them with advice and .capability

It goes without saying that the supervision of man doesn't mean that he manages the house with an iron hand and his actions should not be dictatorial, and he should not prevent other family members from expressing their views. Since a manager knows it well that no organization, big or small, can be managed by force and deprivation. Especially the rules of the family should be for peace and comfort, and a place for training of children, who are the future of the country. But it means to supervise the activities, a right plan for managing the family, with advice and exchange of views of the family members, inviting their co-operation, understanding and solving their .problems, making decisions and giving the final word in the family arguments

:The responsibilities of man can be divided into three groups

۱. Supply the family finance, conducting the affairs of the family with advice, exchange .of opinion, and control the fiscal balance of the family

۲. To protect, care, and defend the members of the family.

۳. Supervising religious and cultural affairs of the members of the family, and guiding them for progress and perfection of physical and mental accomplishments, and .preventing them from evils of society and bad ethics

t:۶۷

MAINTAINING EXPENDITURE (۲)

In Islam maintaining all the expenses and payments of the family is the responsibility .of man

Is'haq Ibn Ammar questioned Imam Sadiq (a.s.) that what was the right of a woman ?on her husband

(He replied: "Food, clothes, and to forgive her mistakes." (۱

RESPECT AND TOLERANCE (۳)

It is a duty of man to understand the value of his wife, and consider her a blessing from Allah. He should respect her, and has a tolerance with her in the life, and forgive her errors. He should not be strict and obstinate. Islam considers this a right of .woman, and a duty of husband

:Imam Sajjad (a.s.) said

The right of your wife is that you consider her as a source of comfort and peace from Allah, a blessing from Allah, then respect her. Although you have the right over her, but you should be her hearty companion. You must arrange food and clothes for her, (and if she makes any mistake, forgive her.(۲

THE RELIGIOUS AND ETHICAL VALUES OF THE FAMILY (۴)

It is a duty of man to safeguard the ethical and religious values of his wife. Either he should help her in these matters, or should arrange for her education in this regard. He should care her. He should invite her to good

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Makarimul Akhlaq, Vol. ۱, P. ۲۴۸ -۱

Bihar, Vol. ۷۴, P. ۵ -۲

deeds and ethics, and prevent her from bad deeds and bad ethics. Altogether, he should take her away from the fire of hell, and invite her towards Paradise.

This is one aspect of supervising and guidance that is duty of men.

The holy Qur’an says:

You who believe, shield yourselves and your families from a fire whose fuel will be men and stones: over it there [lurk] fierce, stern angels who do not disobey God in anything He commands them [to do]. They do whatever they are ordered to.(١)

(B) DUTIES OF WOMAN TOWARDS HER HUSBAND

Women also have important duties towards their husbands, that some of them are mentioned here through traditions. All the duties are concluded in a short sentence, and that is nice hospitality toward the husband.

Amirul Mo-mineen (a.s.) said: The crusade of woman is that she look well after her husband.(٢)

"Good hospitality" that has come in the tradition is a small sentence but it has a vast meaning, and gathers all the goodnesses. It can be said that she must look for the well-being of the husband, and accepts her husband as the supervisor, and honor his position. She must consult him in important affairs and obeys his orders. If at times he doesn’t give permission to go out of house, she may not go out. She may change the house into a nice and loving

t:۶۹

١- Qur’an ۶۶:۶

٢- Bihar, Vol. ١٠٣, P. ٢۵٢

place and encourages her husband with her good behavior, good ethics, and love. She hastens to help her husband in problems and difficulties, and gives him moral support. She is trustworthy with the wealth of the husband, and avoids extravagance and useless expenses. She encourages him in doing good deeds. Wears the best clothes in the house, and does make-up and decoration for her husband, and is always prepared to present herself to him. She makes efforts in training the children and housework. She is trustworthy, a keeper of secrets and sympathetic...

It can be said that a woman who looks after her husband is like the warriors who are fighting in the way of Allah.

Traditions have emphasized some points:

(۱) Obeying the husband in lawful things,

(۲) Sleeping with the husband and satisfying his sexual needs.

(۳) Trustworthiness and protecting the wealth of the husband;

(۴) To observe chastity.

(۵) Necessity of getting husband's permission for going out.

Imam Sadiq (a.s.) narrates from the holy Prophet (s.a.w.a.):

"There is no better blessing for a muslim, after Islamic faith, than a wife who when he looks at her,

t:۷۰

he becomes happy, and she obeys him and in his absence protects his wealth and chastity." (1)

Imam Muhammad Baqir (a.s.) said that a woman came to the holy Prophet (s.a.w.a.) and said, "what is the right of a man on woman?"

He answered, "She must obey him, and should not be disobedient. She must not give charity from his property without his permission, should not keep recommended fast without his permission, should not prevent him from satisfying his sexual desires, although she might be riding a camel; She may not leave the house without his permission." (2)

1- Wasael, Vol. 14, P. 23

2- Wasael, Vol. 14, P. 112

THINK AND ANSWER

۱. What is the meaning of the words: WIVES ARE DRESS FOR YOU AND YOU ARE ALSO DRESS FOR THEM?

۲. What is the meaning of: AND TREAT THEM KINDLY?

۳. What are the common duties of husband and wife?

۴. What are the special duties of the husband?

۵. Why it is the responsibility of the man to pay the family expenses?

۶. How is the supervision and leadership of a man?

۷. Who is responsible for maintenance?

۸. Who is responsible for looking after the religious and ethical issues?

۹. What are the duties of a woman towards her husband?

۱۰. What is the meaning of " good hospitality " and when it can be said that she has kept her husband nicely?

t:۷۲

The Dowry (Mehr) and its Philosophy .۸

When the sermon of marriage is recited the man gives something to his wife, which in the Islamic terminology is known as Dowry or Sedaq. The word Dowry has come in .Qur'an, but the word 'Sedaq' is in usage

:The Qur'an says

Give women their marriage portions with no strings attached. If they themselves (waive some of it for you, then consume it at leisure; and with good cheer.(۱

t:۷۳

Qur'an ۴:۴ -۱

No particular amount of the Dowry is fixed, but it depends upon the mutual .agreement of man and woman

:Imam Muhammad Baqir (a.s.) said

(Dowry is a thing that man and woman negotiate on it…"(۱"

There is also no minimum limit of dowry, but it has come in traditions that it should not .be very little

:Imam Ja'far Sadiq (a.s.) narrated from Hazrat Ali (a.s.) that he said

I don't like the dowry be less than ten dirhams, so that it would be similar to the" (money paid to a prostitute."(۲

There is no maximum limit to dowry also. It is not fixed and there is no problem if it is more, but Islam does not deem it fit for the dowry to be too much and that there .should not be competition in it

:Amirul Momineen (a.s.) said

Do not make the dowry very heavy for the woman, and do not do competition in it; it" (is disallowed."(۳

Dowry should not be so expensive that the youth may not be able to find resources for marriage; and it is good to be moderate in this matter. By observing the status of the man and woman and the social standard of the family of bride and bridegroom, according to their economic standards, should keep an appropriate dowry

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Wasael, Vol. ۱۵, P. ۲۳ -۱

Wasael, Vol. ۱۵, P. ۱۱ -۲

Wasael, Vol. ۱۵ P. ۱۱ -۳

according to mutual consent. The type of dowry also doesn't have any limitations, but every kind of wealth such as gold, silver, land, currency, carpet, utensils, automobile, .clothes and any other thing, which can be owned, may be considered as dowry

Dowry can be cash or credit. It can be the responsibility of the husband or any other .person, it depends upon the agreement between man and woman

If it is cash, the woman can demand it before their common living. If man is in the position to pay it, he should do so, and in case he refuses to pay, the wife has the right to remain away from sexual intercourse, and this does not refrain her right to receive .food and clothes

If the dowry is on credit and a fixed time is stipulated, the woman does not have the right to demand it before that time. If a fixed date is not stipulated, anytime the .woman demands, and the man has the capability, he should pay it without any delay

The real owner of the dowry, whether it be property or money, is the woman herself. No one, her mother, father, nor her husband have the right to use it without her .permission; the profit accrued from it also belongs to her

:The holy Prophet said

Allah will forgive all the sins, on the Day of Judgment, except those who usurp the" Mehr of the

woman, or do not pay the wage of the worker, or a person who sells a free person as (a slave."(۱

Imam Moosa Ibn Ja’far (a.s.) was asked whether the father of the girl could utilize the :dowry of the girl? He said

(No. He does not have such a right."(۲"

Therefore dowry is a debt of the husband, which upon request, should be paid at the .earliest possible time

Imam Sadiq (a.s.) was asked about a man who had married a woman, but had no intention of paying the dowry. He said that that act would have been counted as (fornication.(۳

:Imam Sadiq (a.s.) said

One who fixes the dowry for his wife, but does not have the intention to pay it, is like" (a thief."(۴

:Imam Sadiq (a.s.) narrated from the holy Prophet (s.a.w.a.) that he said

Whoever does not pay the dowry of his wife, will be counted as a fornicator. The Almighty Allah will tell him on the Day of Judgment: "I made My servant marry you, on your word (promise), but you did not fulfill it, and did injustice on My servant. Then the same amount will be taken from the husband, as is equivalent to the right of the woman, and will be given to her. And if no goodness

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Wasael, Vol. ۱۵ P. ۲۲ -۱

Wasael, Vol. ۱۵, P. ۲۶ -۲

Wasael, Vol. ۱۵, P. ۲۱ -۳

Wasael, Vol. ۱۵, P. ۲۱ -۴

remains in the account of the man, it will be ordered: Throw him into the fire of hell, (because he did not fulfill his promise. And the oaths will be questioned."(١)

THE PHILOSOPHY OF DOWRY

One may ask about the necessity of dowry and say that man and woman, from the sexual point of view, need each other, and they get attracted to each other and marry. Then what is the meaning of dower? By the legislation of dowry the woman is humiliated and she becomes almost a commodity. Man takes her like a slave by .payment of dowry

:To explain its philosophy we point out towards two important things

Although man and woman in sexual affairs need each other, each of them has a (١ .specialty

One of the characteristics of woman is her softness and beauty, and because of this men are attracted towards her. The important factor of attraction is the beauty of the woman and man pays attention to it. Woman knows this fact, and for this reason she .tries to look more beautiful for her husband and attracts him more

The second characteristic of the woman is that although she has sexual desires and inner motive to men, she shows herself reluctant and does not attend the man. She wants to create love in the heart of man and wants him to be fascinated to her. The woman gets pleasure

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Wasael, Vo.١٥, P. ٢٢ -١

from make-up, showing herself loving, and pretty actions. She desires to occupy the .heart of the man and his love

However, man is surrounded to his sexual desires and cannot hide his inner feelings and therefore, he approaches the woman. As he knows that the woman wants his love and interest, he discloses his love and attraction to her and accepts her pretty actions and lovely acts. He spends money end, buys gift for her. Arranges the party to celebrate the marriage. The agreement of dowry is one of the resources for man to prove his inner interest. To accord the respect of his wife and to attract her heart, he presents something as dowry (gift). The Qur'an also says the same thing regarding dowry. It is mentioned under the word "Nahla", which means a "gift" or a "present". .This was a benefit and Philosophy of dowry

Dowry gives to woman a sense of peace and confidence, to enable her to perform (٢ the duties made on her by nature. Although man and woman, at the time of marriage, promise each other to remain loyal and co-operative in training and maintaining the children, sometimes although the man does not perform his duty and refuses to bear the expense of life and education of children, Nature has put special responsibilities .on woman and she cannot disregard them

Man is like a farmer, and the woman is like a farm. Man puts the sperm in the womb, and after that he is naturally free. Although from the viewpoint of religion, law, and ethics, he has responsibility to protect his wife and children, but there is no natural, bind on him, and leaving the pregnant wife, he may go away. Although not

.many cases, but there is such a possibility, and we see examples of such men

But woman is not free as man. She has to bear the difficulties of pregnancy, delivery, and the problems after that. After the delivery, she cannot throw away the newborn baby, which is weak and sinless, or keep it hungry. She has to feed it and look after it. Due to motherly emotions and affection for the child, she pays attention to the child .and cannot leave it. She has to look after the baby

Now, during this period living expenses for house, food and clothes are required. In such a situation, what should a helpless woman do? Women are naturally worried .about such a situation

Maybe one of the reasons for dowry would be for peace and security of women in such events. If dowry is a property or cash, the wife can take it and keep it safe for .such events, and if it is a credit, she can demand it

Thus dowry can be said to be a source of pleasing the woman and a security for .marriage

:Imam Sadiq (a.s.) said

The reason why dowry (Gift) is on man and not on the woman, although the work of both is same, is that man takes sexual pleasure from the woman and gets up; and (doesn't wait for the rest. That is why dowry is on man, and not on the woman.(١

t:٧٩

Wasael, Vol. ١٥, P. ٢٣ -١

THINK AND ANSWER

۱. Is dowry (Gift/Mehr) is mentioned in Qur’an?

۲. How much dowry is to be paid?

۳. How much dowry is recommended?

۴. What can be given as dowry (gift)?

۵. What does Islam advise about Mehr?

۶. While choosing dowry, where does the interests of the woman lie?

۷. Is it possible for man not pay dowry?

۸. Who has the right to use the dowry?

۹. To whom does the profit of dowry belong?

۱۰. What is the first philosophy of establishment of dowry?

۱۱. What is the second philosophy of dowry?

t:۸۰

Maintenance and its Philosophy .۹

According to legal system of Islam, the expenditure of the family is carried by the husband. It is the duty of man to pay the expenses of the wife, even if she is wealthier than him. It is incumbent to bear the Maintenance, which is one of the commands of Islam. Maintenance is the right of the wife. If the man does not pay it, it will be like a loan and remain on him, and at the time of demand he should pay it. Even if he refuses to pay the Maintenance, the Islamic authority and the

.(religious judge can give divorce to that woman (upon her request

t:۸۱

:Imam Muhammad Baqir (a.s.) said

Whoever has a wife but does not pay for food and clothes, the Imam has the right to" (separate them."(١

Is'haq Ibn Ammar says, "I asked Imam Sadiq (a.s.) what is the right of woman over "?her husband

(He replied: Food and clothes and to forgive her errors.(٢

Maintenance refers to all the requirements of the family, with regards to the level standard of the society of that time and place, and according to the status of the :family, such as

١) Food, fruits, and other things according to necessity, and social status.

٢) Carpet and bed.

٣) Summer and winter clothes, according to necessity and their standard level.

۴) Utensils and necessary things for cooking, eating, and drinking;

۵) Air conditioner.

۶) House, owned or rented, according to their standard level, and suitable to give them comfort.

٧) Expense of health and medicine.

٨) The costs of cleanliness and make-up.

٩) And other requirements.

t:٨٢

Wasael, Vol. ١۵, P. ٢٢٣ -١

Wasael, Vol. ١۵, P. ٢٢۴ -٢

AN OBJECTION AND ITS REPLY

The topic of Maintenance has come under criticism, and it is said that by this system the woman is insulted and treated as a rented worker who gets food and clothes for .her day and night hard works

ANSWER: The above objection is due to misinformation and in view of those who raise this objection the responsibility of housework is on the woman. She also has to look after the children, take care of them and suckle them. However, the fact is that she is free to reject any home work and may ask for a servant. She may also ask for the wage for the housework she does; that is to look after the children or to suckle them. .Again her Maintenance is the responsibility of man

By paying attention to the above points, how can it be said that it is an insult to ?woman, and she is counted as a servant

ANOTHER QUESTION

While the husband and wife need each other for satisfying their sexual desires and procreation, why is the family expenditure the responsibility of the man alone? Why only the man has to work and the woman gets food, clothes, and sleeps, and does no work in the house? Is not it injustice on man? Why should the expenses of the woman be on the husband, and he should obey her orders? Wouldn't it be better if both, ?husband and wife, work and bear the expenses of the household together

:In reply we point out some important things

t:۸۳

Nature has kept heavy responsibilities on woman, that she has to perform, i.e. (١ pregnancy, delivery, breast-feeding, to look after and train the children. To accomplish these responsibilities she requires time, which is not possible if she works .out of the house and also not suitable to her

Every month women have periods for some days, and during these days they (٢ .require rest

Although housework and children are not lawful responsibility of the woman, but (٣ ethically and according to practice she cannot disregard them. Since it is the necessity of life and family, and contributes to the beautification of house and attracting the .husband

Woman is a soft, lofty, and beautiful creature, and the best way of endearing (۴ herself to the husband is her softness and beauty. If she works out, the difficult and tiring job affects her softness, beauty, and her attraction. Her attractiveness to the husband decreases, which is neither to her benefit nor that of her husband. If it is decided that woman works like man for the expenditure of house and expenses of life, in choosing a profession like man, sometimes she has to work in the coal and iron mines, automobile industry, petrochemicals, cement, petroleum factories, road, .transport action, railway, and driving of heavy trucks, and the tiring night jobs

Therefore, if men and women would have to work together for maintaining the life equally, they naturally would face such problems. Thus women cannot be made to .work like men and pay the expenses of life

t:٨۴

Due to this, and to support the woman, Islamic legal system has put the responsibility of managing the house on the husband, so that wife, with comfort and time, performs those duties, which the nature has kept on her. She must look after the children, protect her beauty and happiness, and preserve her position in the heart of her .husband, and considers the house as a source of comfort and friendship

In this situation, man with comfortable mind and interest at wife and children, and .getting peace in life, works harder and bears the expenses of the house

On this basis, Islam by knowing the realities and observing the well-being of husband, wife, and children, and to stabilize the marital life, has made expenses of the family a .responsibility of man and it has not been a partial decision

The well being of woman and man necessitate that Maintenance be on the man, and woman be depended on him. Since man is in live with the woman, it is necessary that he pays for her and this is not improper. He also gets a sense of personality. The economical dependence of woman is not harmful to her, and does not make her a domestic who just eats the ration. Rather it helps the base of marriage. Generally, the income of husband belongs to the family, and he pays for the expenses, and it does .not affect the economic independence of the wife

At the end, it is important to remind that the aim of Islam by establishment of Maintenance was not that the wife sits idle at home, and just eats and wears without taking any responsibility and work out of home. She can, by observing her capacity and interest, and her facility

t:۸۵

and by mutual understanding with her husband, choose a suitable profession and perform her duty and in this way she can earn income. Her income belongs to her only, and she is not forced to share it. But a good wife, according to her sincerity presents her income to the family members, so that she can be a partner in managing the house and for making life more comfortable, and this increases the love and .kindness of the family

t:۸۶

THINK AND ANSWER

?Who is responsible for home expenses .۱

?What are compulsory expenses .۲

?Has the compulsion of Maintenance on the husband humiliated the wife? Why .۳

?Why is the Maintenance of the wife a responsibility of husband .۴

?Is the compulsion of bearing Maintenance by the husband an injustice? Why .۵

t:۸۷

The Inheritance of Woman in Islamic Jurisprudence .۱۰

Man and woman, from the Islamic viewpoint have the same rights. They have the right to work, earn money, own property, and are originally common in inheritance. .Husband and wife inherit each other

:The Qur’an says

Men shall have a portion of whatever parents and near relatives leave, while women should have a portion of whatever parents and near relatives leave; no matter how small nor how large it is, a portion is stipulated.(۱)

Qur’an ۴:۷ -۱

It is said in the above verse that women like men, have the right to inherit and have a .certain portion

The verses of inheritance were revealed when women in the world, especially among the ignorant Arabs, did not have any value or status. The ignorant men were ashamed .of a daughter, and in some tribes they used to bury her alive

At that time the inheritance reached only the sons or the eldest son, and daughters were deprived of it. Except for the things, which the father had willed for the daughter; or the brother in sympathy would had given it to his sister. Because of this when the verse on inheritance was revealed, as fixed a portion for women in .inheritance, many people were astonished

Fakhruddin Razi has written on the revelation of this verse: "Ibn Abbas narrated that Aus bin Thabit Ansari died, leaving three daughters and a wife. Two of his paternal cousins, Suraid and Arfajah, came and took away all the wealth. The wife of Aus came to the holy Prophet (s.a.w.a.), and told her story and said that 'the executors did not :give anything to my daughters and me." The holy Prophet (s.a.w.a.) said

".Go back home so that I see what command comes from Allah"

After that the above verse was revealed, which shows that both, man and woman, (receive inheritance and that both of them inherit each other.(۱

t:۸۹

Tafseer Kabir, Vol. ۹, P. ۱۹۴ -۱

In such a period Islam conferred inheritance to the woman, and gave her individuality, and considered her equal to man. But in Islamic legislation, the portion of .woman's inheritance is half of that of man's

:The Qur'an says

Allah instructs you, concerning your children: a son shall have a share to that of two daughters. If the women are more than two, then they shall have two thirds of what the deceased has left; and if there is only one, she has half. And for his parents, each of them shall receive a sixth of what he has left if he has a child. But if he has no child, and (only) his two parents inherit him, then his mother will receive a third. But if he has siblings, then his mother will have a sixth, once his will or his any dept has been settled. You do not know whether your parents or your children, are closer to you in (usefulness. This is an ordinance from Allah; Surely Allah is Knowing, Wise.(١

From the viewpoint of Islam, the son gets double of that of a daughter, and the brother gets double of the sister. The husband inherits two times that of the wife's. But in case of mother and father, if at the time of death of their children they are alive, .each one of them will get one sixth of the dead person's wealth

An objection to the law of inheritance is: the discrimination between the portions of the woman and man. Who is the woman's half of that of man's? Is not it injustice and ?discrimination

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Qur'an ۴:١٠ -١

The question of the share of man and woman, and the difference between them, and all the rules related to them should not be separated. It is true that Islam has considered difference in inheritance between woman and man. But this difference is due to the facts and economical responsibility, which is on man. In Islamic law, man should give dowry to his wife. All the expenses of family are kept also on him. For this reason, man should work hard and bear all the expenses. But for the woman, it is not necessary to work and bear any expenses; also if she has wealth she is not forced to spend it. She can save it for herself. Wealth, which comes to her by work, business, dowry, gift, inheritance, or any other legal way belongs to her alone, and she can save .it all

On the other hand, man is obliged to pay, along with dowry, all the expenses of the .family members

Thus the wife is a partner in the husband's wealth, and whatever comes to her from inheritance is hers' alone, which she can save. That is why Islam decided to make a .balance and help man by legislating the law of inheritance

By attention to the above, can we say that woman has been discriminated in inheritance? You can verify that not only there is no discrimination against woman, :but also that is in her favor. The traditions also mention these reasons

:Imam Reza (a.s.) said

The reason that the inheritance of woman is half of that of man's is because, the girl" when she marries and has a husband takes from him; but it is

the duty of man to give; and due to this the inheritance of man is more. Another reason is that the woman being a wife, is entitled to get her maintenance from the husband. But it is not incumbent on her to bear the expenses of the husband and help him at the time of necessity. Due to this, the inheritance of man is more. And Allah says regarding this: MEN ARE THE MAINTAINERS OF WOMEN BECAUSE ALLAH HAS MADE SOME OF THEM TO EXCEL OTHERS, AND BECAUSE THEY SPEND OUT OF THEIR PROPERTY..."(١)

Hisham bin Sâlem narrated that Ibn Abil Awja said to Ahwal, why is inheritance of the weak woman one portion, but a wealthy man takes two third?

Hisham asked the same question from Imam Sadiq (a.s.). He answered: " On women, is not payment for Maintenance, war, and other responsibilities. But all these things are incumbent upon man. And due to this in inheritance man takes two third and woman takes one part. " (٢)

t:٩٢

١- Bihar, Vol. ١٠۴, P. ٣٢۶

٢- Bihar, Vol. ١٠۴, P. ٣٢٧

THINK AND ANSWER

۱. What were the circumstances and conditions, at the time of the revelation of the verse of inheritance?

۲. What is the share of women in inheritance according to Islamic rules?

۳. Why is the portion of woman half of the man's?

۴. Is the law of inheritance an injustice against the women?

t:۹۳

Islam and Polygamy .۱۱

Islam accepted polygamy, and allows man to take more than one wife under special .circumstances, and the maximum limit is four wives

Islam has not brought something new. Before that, polygamy was common in Eastern countries. Although Islam has not disallowed it, but for the well-being has put some .conditions, and limited it to four wives, but the actual law for polygamy is legislated

Islam in allowing polygamy, did not intend to be partial to man, and did not encourage them in lustful marriages. It has not taken away the rights of women blindly, and has not done injustice on them. Rather the aim of Islam is to defend the natural rights of ;women

t:۹۴

that is the rights of marriage, having a family, giving birth to legitimate children, and .train them

In some circumstances protecting the rights of men was the intention also. On this basis, controlled and limited polygamy is one of the necessities of every society, and it is actually for the well being of both women and men. Two points are explained :regarding this

The rate of female births exceed that of the male, and statistics shows that the (١) number of girls and women of the marriage age are always more than men. This :difference is due to two reasons

A) The death rate of men, particularly young men is usually higher than that of young girls. If we see the figures of the dead ones, due to accident, wars, plane-crashes, drowning, death of workers in mines, factories, and driving accidents, etc, we will find that men are mostly involved. Thus, their death rate is higher. So, the number of females is more than males. For confirmation, look at casualties in the last wars. Like Iraq-Iran war, American attack on Iraq, war of Afghanistan with Russia, the internal wars between them, the Yugoslavian war, and other wars in different parts of the world. In terms of human casualties, these wars are very much frightening. And most of the killed were men and young men, who were unmarried or newly married. Now calculate the effect of these wars. How much it contributed to the increase in number ?of women over men

B) Some scholars claim that women have more immunity against diseases than men. .Analyzing the figures of death of infants and youth certify this view

t:٩٥

The average life span of women is more than that of men. Figures show that there .are more widows than widowers

On this basis, the number of unmarried widows is more than unmarried men. We see many widows willing to marry but they do not see the chance. But we find many few .men who are interested in marrying

One of the natural rights of human beings is to marry and have a family. Every (۲) human being, male or female, has the right to marry and feel the comfort and love of the family, giving birth to legal children, and train them. Woman is also a human being who wants these things and has the right over them. Therefore, the rules of the .society should be so prepared that everyone could enjoy this right

In short, in every society, widows are present in large numbers who need to marry, and have a desire for it. And if they don't marry, they may go towards immorality. On the other hand, the number of unmarried men is not so high, who could marry these widows, because most prefer to marry a virgin girl who are present in large numbers. Then what could the widows, who need to marry, do? And what is the solution of this problem? Should we allow unlimited immorality and free sex contact, or allow ?polygamy as Islam has accepted it

For solving this problem, and enjoy of the widows, who desire to marry and have a family, and to prevent immorality and sexual promiscuity in the society, Islam has .permitted polygamy

Other case of allowance of polygamy is when the wife is ill or barren. In case the wife is barren or has an

incurable illness, or bearing the child or becoming mother is painful for her, while the husband requires children, reason and wisdom give permission to him to take .additional wife

In this way, when the woman is ill and cannot fulfill the sexual desires of her husband, .it would be a justification for him to seek another wife

For solving this problem he can either divorce the first wife, or keep her, and at the same time chooses another wife. Although choosing the second wife is beneficial to .women

At the end, a necessary reminder is that the important benefit of marriage is friendship, comfort and love in the family. For this, monogamy is better than polygamy. Islam also does not encourage that a person should practice polygamy for sexual enjoyment and sacrifice friendship and comfort of the family for short time pleasures. It has allowed polygamy as a social need, and for the sake of supporting .the rights of widows who need a husband

The general social circumstances, and status and resources of the person have differences in this point. If there is no personal or social need, one wife is better than many wives. And in case where multiple wives are the necessity of the society or related to a person or necessary for some special persons, then the husband and wife should co-operate in maintaining this need. One who intends to remarry, should first study his economic and physical conditions. If he doesn't have the resources for managing two families, then he should avoid it. After that, he should discuss with his wife and tell her about his

second marriage. He should assure her of justice and equality between the two wives, .and by every possible means, gains her acceptance

His wife too, by considering his personal or social needs, should allow him and co-operate with him. She must refrain from anger and sentimentality. She must try to understand the problems and needs of her husband, and the widows. Above all, she should be pleased of Allah's satisfaction, and support her husband's legal desires. If the second marriage takes place with the mutual understanding of husband and wife, .there would be no problem

PRE-CONDITIONS OF POLYGAMY

Although Islam has allowed polygamy, there are some conditions, that practically its .establishment would be very difficult

.Economic resources for maintaining two families (١

.Physical strength for fulfillment of sexual desires of two wives (٢

Observing justice between two families from all respects, without any (٣ .discrimination

:The Qur'an says

Then marry women as may seem good to you, two or three or four; but if you fear" (that you will not act justly, then marry only one. "(١

In the above verse, the permission for polygamy is on the condition that it should be without any risk of

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Qur'an ٤:٣ -١

.injustice and inequality, which is practically very difficult

A man who has more than one wife, has to provide the same type and measure of food, behavior, sexuality, and even the ethical behavior between them. He should be equal and just. Although there may be differences of age beauty, ethical, or social status in wives, but it is the duty of man that he should behave similarly with all of .them

Thus, it is clear that observing justice is a difficult task, and very few men will be able to perform their duties. In this case the Qur'an says that if you fear that you could not behave just between your wives, then one wife would be enough for you. On this basis, next marriage is a difficult case and carries much responsibility, and everyone is .not competent for it

t:۹۹

THINK AND ANSWER

۱. Why Islam has allowed polygamy?

۲. Why Islam has defended the right of widows to remarry?

۳. Why did Islam allow polygamy?

۴. What would have happened if Islam had not allowed polygamy?

۵. What are the requirements for polygamy?

۶. What steps should the man take if he intends for a second marriage?

۷. If there is a need for a second wife, what is the duty of the first wife?

t:۱۰۰

Divorce in Islamic law .۱۲

Although Islam has allowed separation of husband and wife in special conditions, it is an act disliked by Allah, and traditions of the innocent leaders also have not praised it. :For example: Imam Sadiq (a.s.) said

Allah likes the house where marriage takes place and dislikes the house where" (divorce occurs. The most detestable thing to Allah is divorce. "(۱

,Or

In all the actions, which are halaal (permissible), there is nothing worse than divorce." (Allah does not like that a person commits divorces and takes many wives. "(۲

t:۱۰۱

Wasael, Vol. ۱۵, P. ۲۶۷ -۱

Wasael, Vol. ۱۵, P. ۲۶۷ -۲

:Imam Sadiq (a.s.) said

When news reached to the holy Prophet (s.a.w.a.) that Abu Ayyub had the intention" to divorce his wife, he said that it was a sin to divorce the mother of Ayyub. "(١)

:Imam Muhammad Baqir (a.s.) narrated from the holy Prophet (s.a.w.a.) that he said

Jibrael recommended me about the wife as much as I thought divorcing her would" be illegal, except in case she openly commits an indecent act."(٢)

:Again Imam Sadiq (a.s.) said

"Marry, but don't give divorce, because it shakes the throne of Allah."(٣)

:The Messenger of Allah (s.a.w.a.) said

Among all the permitted things nothing is more liked by Allah than marriage, and" among all the permitted things nothing is more hated by Him than Divorce."(۴)

Divorce according to Islam is an indecent and unfavorable act, and one should remain away from it as far as possible. Because it shakes the Ark of Allah, but due to a reason it has not been forbidden. However, it is strongly hatred. Islamic thought tries to control the factors which lead to divorce. Some of which are mentioned below:

t:١٠٢

١- Wasael, Vol. ١۵, P. ٢۶٧

٢- Makarimul Akhlaq, Vol. ١, P. ٢۴٨

٣- Makarimul Akhlaq, P. ٢٢۵

۴- Mustadrakul Wasael, Vol. ٣, P. ٢

١) One of the causes of divorce is the cold attitude of the husband towards his legal wife, and attraction towards other women. This is caused mainly because women appear in the society without Hijab, or have incomplete Hijab, and the lustful eyes of men are hunting. When the eyes of man falls on a woman who is more beautiful and attractive than his wife, he would be fascinated by her, and becomes cool to his wife. When he returns home he makes untrue objections and excuses, which make their life sour, and many times it ends in divorce. To prevent this bad fate, Islam has advised women to observe the Hijab properly, and not show her adornment to stranger men. They should not do make-up and attract, except for their husbands. On the other hand, men are advised not to look at stranger women, and to avoid useless and sweet talk. If at all their eyes falls on a stranger woman, they should not stare at her and should close their eyes at once.

٢) The second cause in frequent divorces is the coolness of husband and wife with each other and their sexual relations. Many divorces and scandals are due to the fact that man or woman is not satisfied in sexual intercourse.

To prevent this, Islam has advised women to take their best clothes in the house, make up themselves as a favorite to their husbands. Husbands are also advised to observe cleanliness and hygiene. They should have proper haircut, trim the beard and live nicely at home. On the other side, they both are advised that at the time of intercourse, they should not be selfish, but should think about the mutual satisfaction.

t:١٠٣

(۳) The third factor in divorce is bad behavior, bad ethics, objection, excuses and stubbornness of husband or wife. Statistics shows that maximum divorces are due to non-compatibility of the spouses.

To prevent this, and for the stability of the family Islam has prescribed duties for each of them, that should be regarded by them. They are also advised to refrain from selfishness, stubbornness and despotism and they should forgive each other; and the disputes should be solved amicably.

The moral duties of husband and wife are analyzed in the books of ethics, and some of them have been mentioned before.

(۴) The fourth way employed by Islam to solve the marital disputes, and prevent divorce is the establishment of a committee of arbitrators. There are two persons in it. One is from the wife's side, and the other chosen by husband. These two can be relatives or some other people.

The Qur'an says:

"And if you fear a split between a man and his wife, then appoint a judge from his people, and a judge from her people; if they both desire reconciliation, Allah will bring harmony between them, surely Allah is Knowing Aware." (۱)

The arbitrators will arrange for a meeting, and invite the husband and wife to attend it. They will ask about the disputes with complete attention, listen to their

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۱- Qur'an ۴:۳۵

grievances justly, find out the truth, and will give kind and friendly advice to the other side. They would make each of them familiar with their duties. Invite them for forgiveness, tolerance, assistance, duties towards the family, and efforts to make the marriage stable. They are also warned of the bad effects of separation and an .agreement of peace is reached

It should be said that the peace of arbitrators and reconciliation through enforcement of "law" is very different. For reconciliation between two partners, two neighbors, or two enemies it is necessary that they do not cross the limits and trespass the rights of each other. But the reconciliation that Islam desires through the arbitrators committee is not the enforcement of law. It is to remove the grudge from the heart and to remove the factors of disputes and try to promote co-understanding. It commands them to take interest in the family, be warm towards life and normalize the relations between spouses. The merit of this over the former way is clear. However if the arbitrators after investigation and necessary procedure concludes that the disputes between spouses run very deep and the flame of love and interest of the family is completely extinguished and there is no hope for reconciliation, they advise them forgiveness and tolerance, and leave the husband and wife to .themselves, till they separate from each other, or they suggest divorce

Payment of the dowry. The fifth thing, which can prevent divorce or delay it, is the (۵) payment of dowry. If the man had given the dowry earlier, he has no right to take it .back; and if he has not paid it, it is his duty to pay it in full, while giving divorce

:The Qur’an says

If you want to exchange one wife for another, and have given one of them a large" sum of money, do not hold back any of it. Would you withhold it through slander and "?open sin

How can you hold it back when you have had intercourse with each other, and they" (have made a solemn agreement with you?"(١

Dowry is the religious and legal right of wife, which could be collected in any possible way. If man has not paid it in advance, he should give it at the time of divorce. If the dowry comprises a property or a huge amount, it can prevent divorce to some extent. .Especially for those who are poor and do not have enough money

Supervising and looking after the children: Supervising and looking after the (۶) children, and to bear their expenses are the responsibility of the husband. When the conditions of the family is normal, and husband and wife stay together the wife usually takes up the responsibility to look after the children. As a result men get the opportunity to work and bear the expenses of the family. But if they get separated due to divorce, then the supervision and looking after children is the responsibility of man; and to fulfill two responsibilities together is difficult. The children also need a .mother, and the father cannot manage all these things alone

Therefore, if the father thinks properly, and studies the negative consequences, he usually refrains from

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Qur’an ۴:۲۰-۲۱ -۱

divorce. On this basis, the existence of children and the responsibility towards them .can be a safeguard for stability of the family and is counted as a hurdle to divorce

The presence of two just witnesses: The validity of divorce requires in Islam (٧) depends on that two just persons be present at the time of the reciting of the formula ;of divorce. Namely

First: For the divorce to be valid, it should be recited properly, which is not possible for .everyone

Second: At the time the divorce lecture is read, two just persons should be present, so .that they listen to it and when required give witness

In this way it is not so easy to find two just persons for witnessing the recitation of the lecture of divorce. Thus the husband cannot act in haste and later he may change his .mind

During this period the man may get cool, and leave his anger, and think about the bad results of divorce; problems in future. Friends and relatives can help him in this regards. Even when everything is ready, the learned judge who recites the marriage lecture and two just persons, they do not give the divorce at once, but try to remove their disagreements and reconcile them. In necessary case they can delay the divorce, to give more time to think about the consequences, and probably they change the mind. As Islam is against divorce, it has tried all possible ways to prevent .it

The period during which a divorced woman cannot remarry: After all the stages, (٨) even when divorce is

effected Islam does not end the marriage, but it has stipulated a period(١) and in a revocable divorce gives permission to the husband to renew the earlier marriage .without any dowry or recitation of lecture

Islam has laid much importance for protection of the marriage. Even after divorce, and in the "waiting period", opportunity is given to the husband to think properly, and .if he has interest, he can renew the earlier marriage

t:١٠٨

١- .From the time of giving divorce, the woman should have three monthly periods

THINK AND ANSWER

١. What is the Islam’s view on divorce?

٢. Among all the permissible things what is the most disliked?

٣. What has Islam done to prevent divorce?

۴. What are the causes of divorce? And how did Islam fight against them?

۵. What is the function of the " Arbitration " committee?

۶. How has Islam delayed the occurrence of divorce?

٧. What is the result of delaying the divorce?

t:١٠٩

Philosophy of the legislation of Divorce .۱۳

One may object to the legislation of divorce and say; "If divorce is not liked by the legislator of Islam, as you mentioned earlier, why has He not forbidden it?" Can we join the permissibility and detestability of a subject together? Why did Islam allow ?divorce? What is its philosophy

The reply is that divorce is bad and disliked. But in some circumstances it becomes necessary for the society, and it cannot be totally prevented. For example, to cut off a limb is painful and it is not liked. However, sometimes it is necessary for the well-being of the whole body, like in case of a cancer. In case of divorce, it is like that. It happens when the continuation of a married life is

distressful, painful, and unbearable for both sides, and there is no solution except .divorce

For example, when the love and interest of man are totally finished and he does not like his spouse at all. In such circumstances, she loses the position of love, and the base of the family is ruined. The house in which there is no love, is cold, dark, and fearful. Not only there is no comfort for the husband and wife, but also it is a dark .prison and a burning hell

Marriage is a natural relation between man and woman, and is different from contracts like sale, rent, company, and partnership. They are social contracts, and natural and sexual desires do not have role in them. While marriage is a natural relationship rooted in sexual intimacy of the spouses. Marriage creates internal .attraction of male and female, and goes toward unity, and love

To attract and to get attracted is natural, and it is placed in the nature of husband and wife. From the husband's side love, desire and the company of wife is there. And from wife's side make-up, attraction, to fill the heart, and company of the husband. The male desires to take his beloved, but the female wants to remain as the object of the .husband's desire, and to attract his heart

Family rests on two pillars. If the husband and wife achieve their desires, the atmosphere of the family remains warm, fresh, and beautiful. Husband would be warm and hopeful toward his family, and works hard for their comfort. The wife also considers herself successful and fortunate, and tries hard to look after the husband, .and children

t:١١١

If the husband does not love his legal wife and gets irritated by looking at her or by her company, and wife also feels that her husband does not love her anymore, then the family would lose the two pillars and will be ruined. Life in such a family becomes cool, and a rift is created between the partners. It is very difficult and painful for the spouses and its continuation is not good for them. In such circumstances, Islam does not like divorce, but sees it as a solution and allows it. The law of divorce applies to .such situations

The other situation is absence of mutual understanding! In case where the spouses do not have mutual understanding and think in opposite directions. Both of them are biased, selfish, and stubborn. Day and night they quarrel, fight, and argue; they do not listen to advices of the mediators nor follow the guidelines. They are not ready to change or improve themselves. Life in such a family is difficult, and its continuation neither benefits the wife nor the husband. In such a situation divorce is the only .solution, and Islam allows it

On this basis, divorce is a necessity of the society and a way of solving the problem, .and it cannot be prohibited

Someone may say that he accepts the permission of divorce in some circumstances, but the law of divorce is allowed freely, and a lustful person on any pretext would divorce his wife, who has spent her youth, energy, health, in the house of this disloyal husband. Now he just divorces her, and removes her from the house, and after that ?takes another wife. Is not such a divorce unjust on women

t:۱۱۲

In reply it can be said that Islam is also against divorce given by a lustful and brutal person and has fought with these factors. In order to endorse divorce it has put .certain conditions and rules, and has brought hindrance to avoid divorce

But if due to a reason the wife loses the affection of her husband, and he begins to hate her, what should be done, and what is the solution? The wife feels that she is not loved by her husband anymore, and he hates her. Such a condition is worse and an insult and punishment for the wife. Is it better for her to stay at home by the force of law, and stop separation? Law can compel the wife to remain in the house, and compel the husband to pay for her food and clothes; but law cannot create love, which is the basis of family life. Here too, although Islam does not like divorce, it sees .it as a solution and allows it

One may say that if divorce is in some cases necessary, and a way of solving the problem, why is it left to the discretion of husband only, and women are not given the right to divorce? As all these situations can arise for women too. It is possible that wife may not like the husband and get irritated to continue the mutual life. When there is no love, the life of the family is practically over, and woman should be given the right .to divorce her husband and announces the end of the mutual life

We say, lack of interest of woman does not signify the end of marriage. It is a sign of the mistakes or errors of man, and his shortcomings in his relationship, his performance of family life, and looking after the wife. Because the key of love and interest of the wife is in the hands of the husband. If the man really loves his wife and

express it to her, performs his duties towards her and improves his behavior, the wife will become warm, hopeful, and takes interest in him and would try to attract his .heart

Therefore, if the wife dose not have interest in her husband and life, it shows that the .husband has shortcomings

In such situations divorce is not necessary. The man should be reminded of his duties and to look after the wife, so that he can correct his actions, talks, and behavior; and .should try to fill the heart of his wife, and make her warm and hopeful

One may say that if a husband beats his wife or does not pay for her expenses, and behaves harshly with her, does not performs intercourse, gives her trouble and hurts her, or abuses her and also refuses to divorce her, in such situations what can she do? She must be patient and bear the torture, as long as she is alive? Why the right of ?divorce is not given to the woman, so that she can get rid off such a painful prison

It can be replied that Islam is based on justice and observes the rights of all sides, and does not support bad behavior and injustice towards the wife. It never allows this. .Islam is absolutely against it, and defends the rights of women

In such cases women can refer to the "Arbitration" institution, and request them to advise the husband that he should treat her with justice. If they get the opportunity and succeeded, they can continue their life, but if he does not accepts this, she can claim to the Legal authority. The

court calls the offending husband and orders him to refrain from injustice and oppression, and to perform his duty. If he doesn't accept it, the court sentences him to divorce, and if again he refuses, the competent legal authority will directly issue the order of divorce.

t:۱۱۵

THINK AND ANSWER

?If divorce is bad why Islam has not banned it .۱

?When is divorce the best option .۲

?How does Islam deals with a man who is lustful and divorces his wife .۳

?Why does man have the final right in divorce .۴

?What does lack of love of a wife in her husband indicate .۵

?How can man make his wife interested in life .۶

?What is the right of a woman whose husband hurts her .۷

t:۱۱۶

About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ۹

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ۲۰۰۷, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field

and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes of people interested in reading, with various formats in the .cyberspace

:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

encouraging the populace particularly the youth in investigating the religious issues-

replacing useful contents with useless ones in the cellphones, tablets and computers-

providing services for seminary and university researchers-

spreading culture study in the publich-

paving the way for the publications and authors to digitize their works-

:Policies

acting according to the legal licenses-

relationship with similar centers-

avoiding parallel working-

merely presenting scientific contents-

mentioning the sources-

.It's obvious that all the responsibilities are due to the author

:Other activities of the institute

Publication of books, booklets and other editions-

Holding book reading competitions-

Producing virtual, three dimensional exhibitions, panoramas of religious and tourism- places

.Producing animations, computer games and etc-

Launching the website with this address: www.ghaemiyeh.com-

Fabricatingdramatic and speech works-

Launching the system of answering religious, ethical and doctrinal questions-

Designing systems of accounting, media and mobile, automatic and handy systems,- web kiosks

Holding virtual educational courses for the public-

Holding virtual teacher-training courses-

Producing thousands of research software in three languages (Persian, Arabic and- English) which can be performed in computers, tablets and cellphones and available and downloadable with eight international formats: JAVA, ANDROID, EPUB, CHM, PDF, HTML, CHM, GHB on the website

Also producing four markets named "Ghaemiyeh Book Market" with Android, IOS,- WINDOWS PHONE and WINDOWS editions

:Appreciation

We would appreciate the centers, institutes, publications, authors and all honorable .friends who contributed their help and data to us to reach the holy goal we follow

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